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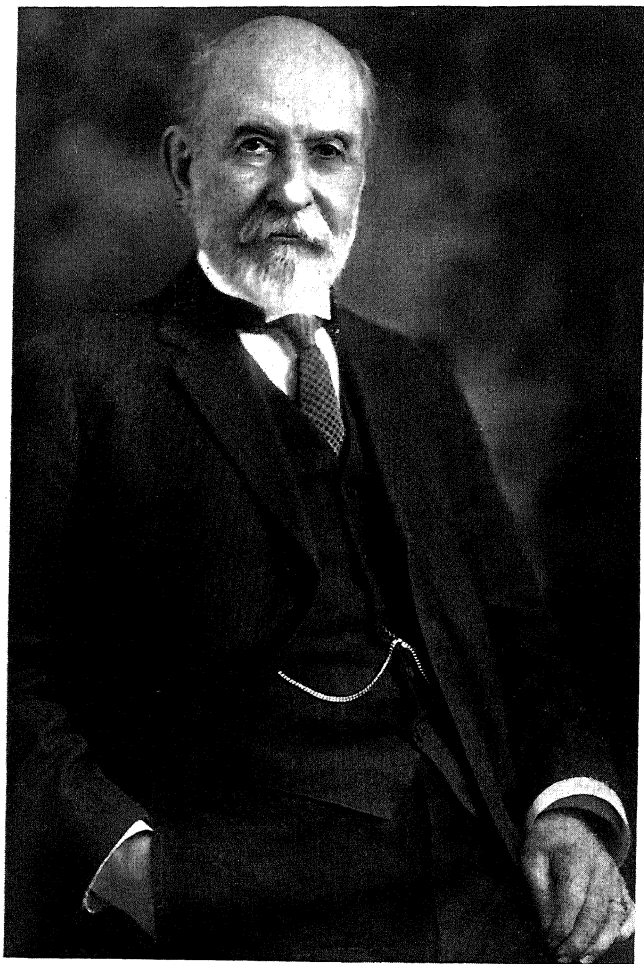
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A FRIENDLY GESTURE FROM A PROGRESSIVE  
MAGAZINE FOR SPORTSMEN

From *Outdoor Life*, Denver, March, 1930



DR. WILLIAM T. HORNADAY

"On every page of limit reduction history appears in large letters the name of Dr. William T. Hornaday. In the long and often weary annals of conservation progress, no man has been less bowed beneath reverses or less satisfied with success than Dr. Hornaday. Determined and intransigent, it was never his policy to go around or under an opponent; smashing straight through his opposition, he has left a long trail of personal enemies in his wake—but has never looked back. Sold out by game-hogs in high places, rebuffed by organizations purporting to have a conservation purpose, deserted even by high-principled and well-intentioned leaders who felt him too radical and truculent for his time, much of Dr. Hornaday's farseeing effort has been single-handed. In his day of triumph, let his indomitable persistence be remembered."

# THIRTY YEARS WAR FOR WILD LIFE

## GAINS AND LOSSES IN THE THANKLESS TASK

BY

WILLIAM T. HORNADAY, Sc. D. A.M. Ph.M.

GOLD MEDALIST ROYAL SOCIETY FOR PROTECTION OF  
BIRDS, THE GOVERNMENT OF THE REPUBLIC OF FRANCE,  
THE SOCIÉTÉ D'ACCLIMATATION DE FRANCE, THE NEW  
YORK ZOOLOGICAL SOCIETY, AND THE CAMP-FIRE CLUB.  
AUTHOR OF "OUR VANISHING WILD LIFE" (1913),  
FOUNDER OF THE PERMANENT WILD LIFE PROTECTION  
FUND (1913).

*"No fight ever was won by parrying alone. Hard hitting is the best parry. The offensive is the only sure defensive."*—EX-PRES. THEODORE ROOSEVELT.

*"Mistakes and omissions are inherent in human nature.*

*He who makes the fewest will remain master of the battlefield."*

—VON HINDENBURG.

*"Where there is no vision, the people perish."*—(and game, also)

PUBLISHED FOR THE  
PERMANENT WILD LIFE PROTECTION FUND

BY

CHARLES SCRIBNER'S SONS

NEW YORK - LONDON

1931

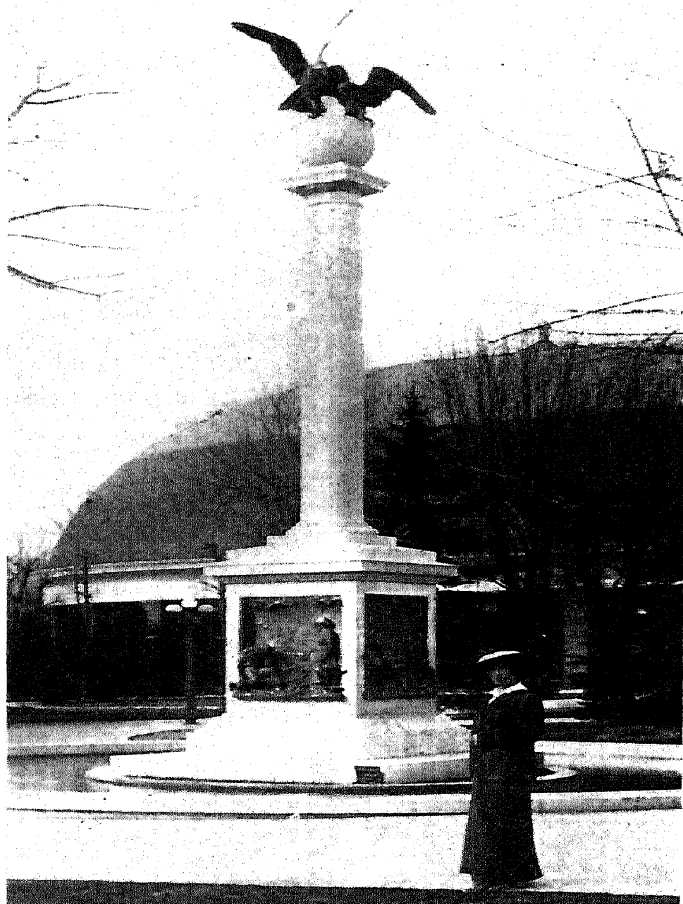
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By WILLIAM T. HORNADAY

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Stamford, Conn., U. S. A.

This volume  
is dedicated to the  
**Congress of the United States**  
as a small token of appreciation of  
its generous services to wild life during  
the decade from 1920 to 1930,  
in new legislation to provide game  
sanctuaries, and to reduce excessive  
killing privileges.





## THE SEA GULL MONUMENT

MAN'S ONLY PUBLIC GESTURE OF GRATITUDE TO A WILD BIRD SPECIES FOR BENEFITS CONFERRED.

This beautiful monument, executed by Mahonri Young, stands in the Park of the Mormon Temple, at Salt Lake City. It commemorates the services of the "great flocks of sea gulls" that opportunely came and saved the crops of the earliest Mormon pioneers from being destroyed by crickets, at the beginning of winter.

## PREFACE

THIS is a book of pertinent facts and useful history. Many of its records are of the ugly and disagreeable kind that our opponents carefully do not print, and do not show in their bird lore and game-killing picture shows. Some of our logical conclusions are just as ugly and disagreeable as the game-slaughter conditions on which they are based. *The birds' house is on fire!*

We have no need to investigate the plans, specifications or plumbing of that house, in order to come to a conclusion years hence about the advisability of water for the fire. We are so old-fashioned that all we think of just now is throwing chemicals and water directly upon the consuming flames. In bird protection we are so crude and raw that we insist upon making our first fight at the muzzles of the 7,000,000 shotguns, to save some of the gunfodder game for breeding purposes.

But for the splendid awakening of Congress during the last six years, the author of this volume never would have made the personal sacrifices that it cost him to write it. On January 1, 1925 we were ready to say: "What is the use?" But the federal and state progress made since that date encourage us to make this final effort to awaken the slumbering masses. Is it possible to make the intelligent see that all our game birds are being crushed to death between the upper millstone of sportsman lust for blood, and the lower millstone of commercial greed for \$307,000,000 a year from game hunting and slaughter? Is it possible to make the friends of birds and of decent sport with guns see that the practical salvage of game is being hindered by the savage opposition of the Benedict Arnolds of "conservation" who have turned from game defenders into defenders of game-killers?

The first good way to discourage game destruction and treachery is to *promptly* pass the McNary-Haugen bag limit bill, with two amendments to reduce the open seasons on waterfowl to eight weeks only, each state to choose its own period, and to prevent the "baiting" of shooting waters and lands, to lure birds up to the muzzles of the guns.

Ten years ago no man could have convinced the writer that the hardest warfare of his life for the rights of game would be waged *with men called "conservationists," bent upon maintaining the big killing privileges of millions of game hunters.* He had learned to expect opposition from men whose privileges or property rights were likely to be affected by reform

laws, but up to that time he had not learned to fear the professional defenders of birds or game. And even unto this day we are seeking answers to the eternal question, "WHY did men claiming to be conservationists fiercely fight bag-limit and open season reforms, for seven long years? Aside from a notorious few, what was there in it for them?"

But for one thing, I would devote neither time nor space to the mention of those special enemies of game. It is not a pleasing subject. But the trouble is—*we are not yet through with them!* We do not know what they will hatch up and try to put over during the next decade, and we can not afford to take anything for granted.

All men who butt into the Public Eye, and by means of money collected from the public make regular campaigns to secure the new laws that they personally desire, are perfectly fair objects for scrutiny, criticism and the pen of the historian. No man who tramps the lobbies of Congress to dictate selfish legislation ever should be permitted to shelter himself from scrutiny and public record while in pursuit of legislative objects that would take value from the public. We accuse no one of crookedness, or unlawful acts, but we do object to bad judgment, and destructive standards of justice in both conservation and sport. While we attack no man's private character, we insist upon our right to publicly review his principles and his acts, and quote from public records, whenever public interests demand a showdown.

Eighteen years ago, with infinite labor and a devastating expenditure of midnight oil, we wrote a book called "Our Vanishing Wild Life." In it, presidents, kings, governors, nations and principalities were criticized and advised with degrees of confidence that should have provoked the admiration of nations. In four chapters the forty-eight sovereign states of America were shown the errors of their several ways, and in four more "Roll-Call" chapters those states were shown how to purge themselves of their worst sins against wild life.

The New York Zoological Society published that book, and gratuitously placed 10,000 copies of it where they would do the most good. That "contribution to a Cause" was kindly received, and now there is reason to believe that it served some good purposes. The demand for this subsequent history, and the conclusions based upon it, has forced upon me this final contribution to the great Thankless Task. It was the fine spirit manifested by Congress during the last six years, plus the devoted backing of a host of unterrified friends and allies, that encouraged me to do this burdensome thing.

I am deeply grateful to the two Founders of the Permanent Fund whose quick generosity has enabled me to quickly place this book in the hands of all members of Congress, and also with many state lawmakers.

I now give notice that in writing the stories of my own campaigns I am perfectly indifferent to all the scoffs and charges of "egotism" that my enemies can or will make. I do not propose to write misshapen history under any handicaps of false modesty. Any soldier who slights his own services in writing the history of his battles is on that count an unwise and imperfect historian. When it comes to writing history in book form for the library shelf, most of the defenders of wild life are negligent historians, and because of this many examples, good and bad, are lost to view.

### *Postscript*

This book displays one serious shortcoming. It does not adequately portray the perils of game at the hands of the game-killers, and of some men higher up who are popularly supposed to be "protecting" and "conserving" game and legitimate sport. The sportsmen of this nation are acting on a basis of \$45 per year for killing game and *only \$1.50 a year for all kinds of game preservation!* Figure it out for yourself, from the basis of 6,500,000 sportsmen paying out annually \$307,000,000 for killing, out of which only \$9,975,000 (of license-fee money) is devoted to "protection," and "more game" schemes. *This basis is rotten to the core!!* The men who are profiting by it are devoted to its continuance, and mighty few men (or newspapers) are doing anything to develop a better basis. And the game is fast vanishing.

Emerson Hough told the American people about all this—until he died. I will do the same—with this difference. If this mild effort does not lead to some reforms through Congress and some state legislatures, we will then take other measures to avert disasters that are impending. This volume is "polite literature"; but if there needs to be a next one it is going to be so impolite as to demand judgment on all men and organizations who attempt to block the road to constructive conservation.

At this, the last moment, our daily mail is well stocked with alarm communications about the awful scarcity of game that has overtaken state after state. And the suggested reasons are generally the same—drought, or too much rain, or "vermin," "poor crops," or "grazing," or "poison," or "disease." On the assignment of the basic reasons—*guns and reckless shooting*—a dozen men seem to have the field all to themselves; and they wish much joy to the men who think they can either breed or buy game to supply 7,500,000 guns!

*There will be either some sweeping reforms, or a sweeping disaster!* . . . Sportsmen, lawmakers, professional conservationists—which will you have?

W. T. H.

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## PICKING UP THE CRIPPLES

Guided by intelligent dogs, the sportsmen on the firing line sweep over the land, slamming right and left at the game. The birds that fall dead are put into the bag, and counted. The cripples are sought out by the mercenaries who habitually follow in the wake of war. The birds they get "do not count in the news of the battle," nor on the hunter's "limit."

Far too long have American bird conservationists been humbly meandering along behind the firing lines, picking up the cripples. To be sure, they are trying to "save" them. They gather up the fragments of wild life, "band" it for reference purposes, or pen it up and try to induce it to lay eggs and breed more gunfodder birds, for more shooting by more sportsmen, and more crops of cripples.

It is time for all bird defenders who are not conservationists for revenue only to come to life, buck up, and save some game at the muzzles of the guns, instead of trailing along behind them. Why be forever content with the cripples of the killers? Why not leave the leavings of the hunters to the army followers, and dictate some more real game protection to the gunners before the game is down? Why not catch up with the killer, and pass him?

Yes; it is disagreeable; it does alienate some friends; it does stir up the hatred of game hogs; but what of that? Do any redblooded Americans really insist upon being

. . . . . "carried to the skies  
On flowery beds of ease,"  
While the armies of destroyers  
Do exactly as they please?

Think it over.

# THIRTY YEARS WAR FOR WILD LIFE

## PART I. THE DARK SIDE

### CHAPTER I

#### FORTY-EIGHT HUGE ARMIES OF GAME DESTROYERS

*"None are so blind as those who will not see."*

In the United States there are now out hunting, in this very season, 48 *big armies* of men. Their grand total strength is about 7,500,000 well armed, well equipped, and money-supplied killers of "game" and pseudo-game. This means 7,500 *regiments of full strength!* The grand total is composed of 6,493,454 licensed hunters, plus about 1,500,000 unlicensed hunters who legally hunt local game on their own lands without licenses. It far exceeds in number *all of the active standing armies of the world!* How is that for numerical strength and gun-power?

The progressive extinction of all United States game and near-game birds is rapidly proceeding. Ninety per cent. of it is due to merciless and determined shooting; and we greatly fear that the leaden-footed Big Stick of the Law will not overtake the 48 huge armies of killers before the game takes its final plunge into oblivion. A deadly contributory trouble is public and private ignorance of the most basic facts of "game management," coupled with many determined and defiant minorities that positively will not voluntarily yield anything more from their present killing privileges as "free hunting" sportsmen, at an average annual fee of a measly \$1.50 per head, or about that.

Ever since the coming of man, ignorance and greed have been the world's greatest enemies.

The closed mind is just as deadly as the loaded gun.

The hardened heart is more fatal to game than the automobile.

Even the dullest American shooter should now admit *the fact* that the guns are to blame for about 90 per cent. of the scarcity and disappearance of game. And every lawmaker, either federal or state, now should recognize this axiomatic fact, which is no longer open to argument.

*Without the fixed law, the regulation, and the Big Stick, no "free" game of any kind, anywhere, can be "saved" from savage slaughter and extinction!*

For 200 years the recognition of this fact has been the basis of all successful "game management" in Europe—coupled with iron-hand regu-

lations there of bags and killings. The lack of it has been the curse of the game of North America. All this talk about "enough laws," and "too many laws," is vicious nonsense; and many times it is dishonest!

And yet, even at this late day, with at least 95 per cent. of our upland game and marsh and shore birds gone forever, Congress is confronted by strongly organized and vociferous groups of bushwhackers who loudly protest against placing "any more restrictions on sportsmen," and who declaim and print denunciations of any "further curtailment of the privileges" of the killers. I particularly refer to bag limit reductions up to date, and the open-season-reduction campaign now beginning. In another chapter I will set forth some of the achievements of the "conservationists" of the United States who talk and print so much about "saving" game by buying game, "breeding game" on game farms (at \$3 per bird!), "drainage," talk about "vermin," and "more perfect law enforcement."

Inasmuch as the now enormous armies of United States game-killers constitute so large a per cent. of the causes of the extermination that is savagely pursuing our game and near-game, it is necessary that Congress and the public should be further informed regarding them. It is utterly impossible, however, to fully classify and describe the motley personnel of that mighty host of killers. To hold a mirror up to that vast mass would require an entire volume like this; but we will do our best with the space that we can spare. Our 48 American armies literally stagger the imagination! . . . And "can ye not discern the signs of the times?"

A "game-hog" is a hunter who is ready to kill the last flock or individual of any game-bird species—if he can do it "according to law!" His ambition is to kill "all that the law allows." Now, what percentage of the 7,500,000 game-hunters of the United States belong in that class? It is my estimate that 15 per cent. of the *sportsmen* are humane and reasonable conservationists.

Meanwhile, this is the best of all places in which to enter a showing of the armed forces now in the field to hunt down, attack, and kill or wound the remnants of our game birds and mammals, and in places to comb out our last game fishes. The final returns for 1929 are for many states higher than the figures given below for 1928.

In 1927 the increase in hunters was 624,329 and in 1928 it was 711,885.

Can it be possible that any intelligent person really and truly believes that our remnants of killable game can withstand the eager and determined attacks of 6,493,000 "free hunting" hunters on the present basis of destruction?

*The Army Picture.*—Mr. Dan Beard's picture showing as well as can be shown on one page just one division of the 48 grand armies of United States hunters was made in 1912. Now, it should be printed three times over; because since its first publication 17 years ago, the total number of hunters has increased more than four-fold, or *over 400 per cent.* The exact figures are: in 1911, 1,486,228, and for 1929, 6,493,454.

What does this say for the value of child "education" in bird lore?

**Progressive Increase of Our 48 Armies of Licensed Game Destroyers**

|                      | IN 1911          | IN 1922          | IN 1928          |
|----------------------|------------------|------------------|------------------|
| Alabama .....        | 5,090            | 11,116           | 86,843           |
| Arkansas .....       |                  | 1,653            | 100,000          |
| Arizona .....        |                  | 17,050           | 38,134           |
| California .....     | 138,689          | 155,530          | 226,109          |
| Colorado .....       | 41,058           | 100,342          | 107,305          |
| Connecticut .....    | 19,635           | 33,599           | 37,212           |
| Delaware .....       |                  | 699              | 1,970            |
| Florida .....        |                  | 16,981           | 59,440           |
| Georgia .....        | 13,224           |                  | 79,592           |
| Idaho .....          | 50,342           | 92,696           | 75,730           |
| Illinois .....       | 192,244          | 239,330          | 303,567          |
| Indiana .....        | 54,813           | 137,090          | 310,204          |
| Iowa .....           | 91,000           | 107,267          | 164,647          |
| Kansas .....         | 44,069           | 65,850           | 115,165          |
| Kentucky .....       |                  | 63,224           | 108,202          |
| Louisiana .....      | 76,000           | 95,500           | 102,411          |
| Maine .....          | 2,552            | 33,342           | 39,979           |
| Maryland .....       |                  | 60,063           | 69,025           |
| Massachusetts .....  | 45,039           | 150,283          | 107,615          |
| Michigan .....       | 22,323           | 328,752          | 362,808          |
| Minnesota .....      |                  | 140,122          | 118,001          |
| Missouri .....       | 66,662           | 120,544          | 231,101          |
| Montana .....        | 59,291           | 62,128           | 75,063           |
| Nebraska .....       | 39,402           | 100,000          | 163,447          |
| Nevada .....         |                  | 8,440            | 5,327            |
| New Hampshire .....  | 33,542           | 109,178          | 55,401           |
| New Jersey .....     | 61,920           | 147,428          | 183,280          |
| New Mexico .....     | 7,000            | 19,022           | 15,971           |
| New York .....       | 150,222          | 288,542          | 670,441          |
| North Carolina ..... |                  |                  | 144,274          |
| North Dakota .....   |                  | 21,268           | 35,108           |
| Ohio .....           |                  | 307,209          | 368,377          |
| Oklahoma .....       |                  | 71,770           | 153,001          |
| Pennsylvania .....   |                  | 464,137          | 515,948          |
| Rhode Island .....   | 6,541            | 12,820           | 10,342           |
| South Carolina ..... |                  | 74,700           | 111,070          |
| South Dakota .....   | 51,030           | 31,054           | 101,508          |
| Tennessee .....      |                  | 17,284           | 63,026           |
| Texas .....          | 22,096           |                  | 104,703          |
| Utah .....           | 27,800           | 50,000           | 40,792           |
| Vermont .....        | 31,762           | 64,883           | 37,208           |
| Virginia .....       |                  | 159,689          | 116,133          |
| Washington .....     | 40,000           | 159,689          | 201,372          |
| West Virginia .....  | 138,457          | 50,000           | 141,706          |
| Wisconsin .....      | 9,721            | 30,000           | 24,822           |
|                      | <u>1,486,228</u> | <u>4,495,007</u> | <u>6,493,454</u> |

To the writer it looks as if such "education" had not done what we have been hoping it would do. Let us not shut our eyes to cold facts—at the expense of millions of bird lives.

Now, in view of the millions of hunters now going out annually in pursuit of "game," or "something to shoot," how in the name of reason can any sane person believe, or say in public, that "game" can be provided for 7 or 8 million men by farm-breeding, or by buying it, or preventing the drainage of marshes?

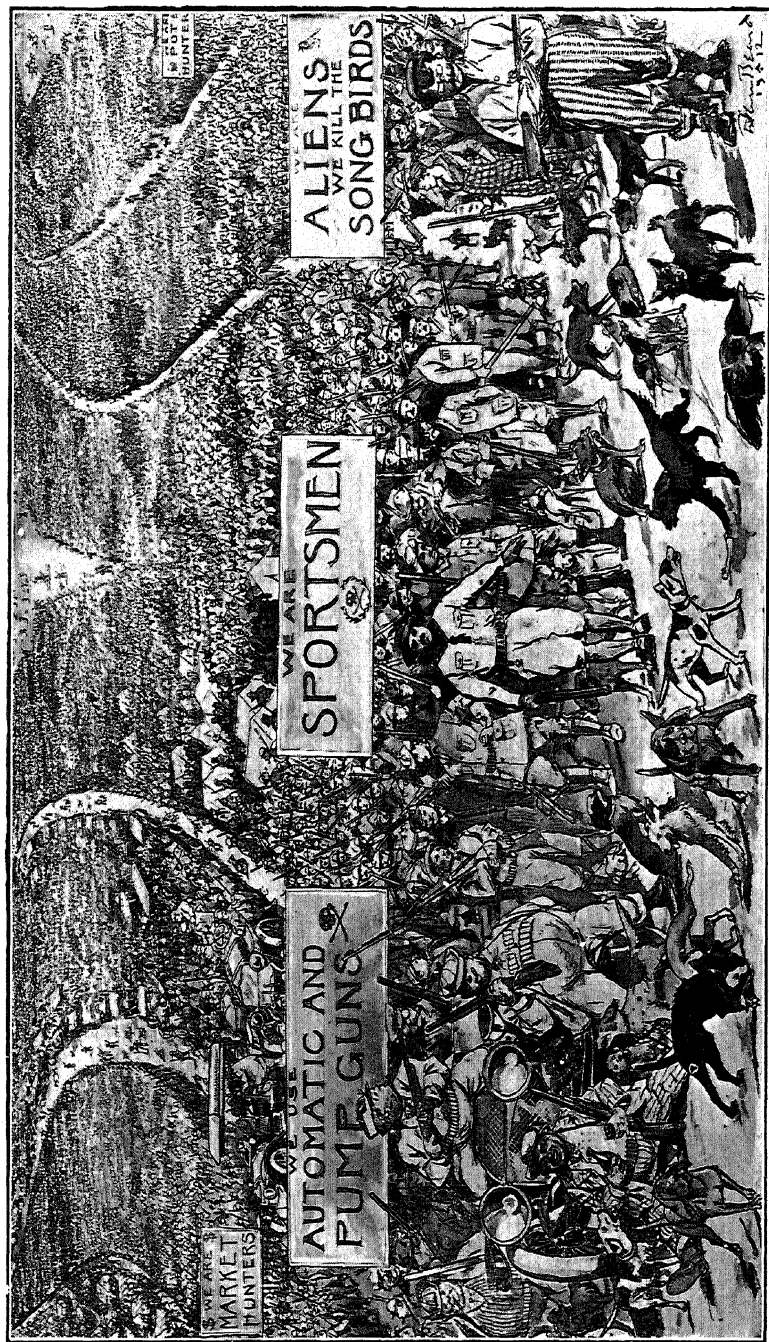
The enemies of the birds say: "You can not save the game by passing more restrictive laws."

We say: "*You can not save any game without more restrictive laws!*"

Those 48 armies of game hunters are composed of a very heterogeneous mixture of killers and conservers. There are hundreds of thousands of high-minded conservationist sportsmen. There are millions of careless and ignorant hunters who rarely stop to reflect on the condition of game, or their own duty. There are millions of killers who demand "some game for their money," and are keen to kill "all that the law allows." Finally, there is a savage "game-hog" element, which contains the active enemies of all bag limit and open season reforms, the bootlegger of game, and the sordid commercial "club" wherein any roughneck with \$10 may "kill the limit," or even beyond it. Finally, we meet a numerically small but powerful contingent of rich "preserve" owners who quietly fight the "fanatics" and "sentimental old women" who strive to regulate game killing for the greatest good of the greatest number. Sometimes the "rich" game-hog is a bad and dangerous citizen; and then look out that he does not "put you out of business!"

The group of manufacturers of sporting arms and ammunition control some terribly destructive factors. They make the deadliest of guns, and they defend their guns with knowledge and power. Naturally, after \$100,000 had been spent in machinery and other preparations to make an automatic or pump gun of exquisite workmanship, the company concerned felt that, as a plain business proposition, it could not afford to have that gun put out of commission. And when several patterns of guns were made, each by its own costly outfit of special machinery, matters were thereby made several times worse.

The making of millions of repeating shotguns, calculated to more rapidly destroy game and sport, was made possible and profitable by the awful number of hunters who became completely devoted to the use of those guns, *and were determined to use them!* Long ago many high-class clubs of sportsmen banned their use by their members. Pennsylvania, New Jersey, and nearly all the Provinces of Canada barred their use by laws. Today, any shooter in 46 of our states who wants an automatic or pump gun, goes and buys it; for the low price is no obstacle. When you see a man using a double-barreled shotgun—and especially one smaller than 12 gauge—you know to a certainty that he is a *gentleman* sportsman, who means to be a more-or-less conserver of game. I am told by an official in a good position to observe duck hunters that 15 per cent. of the shotguns in use are double-barreled guns, and 85 per cent. are pump guns and automatics.



ONE DIVISION OF THE GRAND ARMY OF GAME DESTROYERS  
 This represents only a single division of 25,000 hunters out of the 7,500,000. That is to say 25 regiments out  
 of 7,500 regiments. Drawn by Daniel Carter Beard.

In yielding as they did, in 1923 and 1924, to the persuasion of the previous president of the American Game Protective Association against supporting our bag-limit reduction campaign, the manufacturers of guns and ammunition made a mistake. It contributed materially to the slaughter and waste of at least 1,400,000 birds that should have been saved in the seven years between 1923 and 1930. In 1923 we invited the manufacturers to throw their influence to the support of our demand for lower bag limits, and urged them to join us. In 1925 we invited them again; but the opposing influences could not be broken. Now, some of the officers of three companies have seen some light, and have approved our bag limit reduction demands; which is helpful as far as it goes. But they have not yet approved our demand for reductions on open seasons on waterfowl, from 10 or 12 weeks down to 8 weeks. It is over that issue that our next clash with the hard-boiled killing interests will come. By this I refer to all of the mechanical, industrial and commercial interests which derive annually over \$300,000,000 worth of business from the blood of slaughtered game.

Every sportsman should pray to be saved from his own opportunities to commit waste of wild life, and also from the folly of people who for selfish reasons advise him that "everything is lovely." A few figures will make my meaning clear. To the open mind, the plain truth is easily demonstrated. The outstanding fact in the progressive extinction of American game birds is that 90 per cent. of it has been accomplished by the gun-and-automobile combination, and only 10 per cent. of it is due to other causes.

First let us take up the great American Bone of Contention, the ducks of Canada and the United States, as we see them. For a hundred years there have been no public checks in names or in figures, on the unorganized duck hunters, or their records of ducks killed. So long as the sale of game continued, all the records of the market hunters were carefully concealed.

From 1914 (the end of the open sale of game) down to 1925 the ducking clubs of the concentration states furnished the public no figures whatever of their annual kills, nor the jealously guarded lists of their members. In the summer of 1929 the Permanent Fund made an effort to obtain, for a good purpose, a lot of names of ducking-club members inhabiting a certain area, but *not one club-membership list could be procured!* By their officers all those ducking-club members are held *incommunicado!* For example, the officers of the Santee Club flatly refused to give a list of its members even to one of its own best members who requested it! And yet, it was not a hanging matter that was in view. It was only a perfectly harmless desire to help good old Jack Miner to buy a little goose corn, with goose-hunter money willingly subscribed. All he got from the Atlantic Coast was \$70!

No, my dear Watson, I think that you cannot get the membership list of any large ducking club, either on the Atlantic, the Gulf, or the Pacific Coast; and I also think that you cannot procure the records of their killings of ducks, save in the state of Maryland—a land of clubs whose members are not afraid. Commissioner Le Compte publishes them every year, in the *Maryland Conservationist*.

However, the bed-rock facts of the great decrease in North American waterfowl have been revealed by the inexorable hand of Fate, without any assistance whatever from Washington or the ducking clubs. We have seen 4 years of "investigations" by the Biological Survey, between 1925 and 1930, with no results whatever as to live birds, *and not yet even one figure on the dead ducks brought in by hunters*. Can any failure in "investigation" be more complete than that? I believe that the Survey would rather die than to assemble and print even the records available on slaughtered game.

*Where the Best Sportsmen Stand.*—Fortunately, however, the thinking sportsmen in 29 of the states in which the decrease and scarcity of ducks recently became glaringly evident registered the naked facts by means of bag-limit reduction laws passed by their own state legislatures, by and with sportsmen's consent. *Without sportsman consent, those laws never would have been passed!* If state-wide long close seasons against hunting do not advertise the progressive extinction of game and sport, then in the sacred name of Common Sense, *what do they reveal?*

In 19 states of great duck concentration in winter, the sportsmen stood pat on the old 25-per-day Biological Survey bag-limit of 1918; but in California in 1929 the will of an overwhelming majority of the sportsmen of the state (to a total number of nearly 80,000) in favor of the big reduction, was thwarted by two politicians on a game "Committee" in the state legislature—even after the California State Senate had passed the reduction bill by a big majority!

Counting those 80,000 men on our side—as they were—and adding up the sportsmen totals of the 29 reformed states, we get a grand total of 3,755,007 United States sportsmen *in favor* of our bag-limit reduction program, against a possible 2,658,447 opposed to it. The map shown elsewhere tells the whole story at a glance, as it stood in 1929.

*On December 31, 1929, the decision of Secretary Hyde made the whole map white*—for one year. His order of December 31, 1929, reduces all duck bag limits to 15, geese to 4, and makes possession limits of 30 ducks and 8 geese. In September, 1930, he surprised us by adding "8 brant" to the daily kill, making 12 *geese per day!* As a matter of fact, ducks have been, and still are, fairly "abundant" each winter in these 8 states of concentration: Maryland, Virginia, North Carolina, Arkansas, Louisiana, Texas, Utah and Minnesota. In California ducks are now so *scarce* that an overwhelming majority of the *ducking clubs* long ago went on record for our waterfowl-reduction demands.

To the logical mind, there is no evidence of game extermination that surpasses the federal official exhibits of drastic prohibitions on hunting that have been made—*with the consent of sportsmen*—over large areas. It is safe to assume that all such restrictions have been framed and laid down reluctantly and unwillingly, by the hand of stern Necessity. Lifeless game fields leave no room for argument. "Game Administration" is a high-sounding formula, but it resurrects no dead game. Whenever and wherever "scientific investigations" begin on a vanishing game-bird species, measure that species for its coffin.



Among the most important factors in the salvage of wild life, the most important are *common sense* and *sincerity*! Excepting the unpreventable parasites and other external and internal diseases of the ruffed grouse, we know of not one really new and important fact that has been discovered by any of the costly and long-continued investigations. The promoters of researches cheerfully ignore the shooting business, and do not seem to believe in saving game at the muzzles of the guns. Of course the rich preserve owners have every right in the world to promote costly efforts at saving and increasing game by "investigations," and pay for them generously; but who is there who thinks that they will save "free hunting" on a stabilized basis of continuance?

#### FOUNDATION PRINCIPLES IN 1911

The writer is pleased to observe that his critics no longer charge that he "wishes to stop all hunting," or that "he offers bag-limits as the one cure-all and panacea for the disappearance of game."

It is only the phantom "sentimentalists" who "wish to stop all killing." Those of flesh and blood are more conservative. No other person living has published as many lists of the various causes of game disappearance, or of the different things to be done for game salvage, as W. T. Hornaday has done, from 1897 down to 1930. As a fair, average specimen, consider the following, and note the great reforms that have been made since it was written—just before the passage of the Bayne law. These are the principles that were put up to the 48 states and Congress in January, 1913, in "Our Vanishing Wild Life" book.

There is nothing mysterious about the methods by which our wild creatures might, could and should be saved. Here are the requirements, as we published them as long ago as 1911, in the Cornell University Countryman, and elsewhere:

#### OUR DEMANDS 19 YEARS AGO

Stop the sale of wild game, everywhere.

Stop all shooting of birds in winter and spring.

Stop the use of "pump" and "automatic" guns in hunting.

Stop all shooting of shore birds, doves, robins, and squirrels as "game" and "food."

Reduce all bag limits on birds from 50 to 75 per cent.

Shorten all open seasons at least 50 per cent.

Stop, all over the world, the killing of birds for commercial or millinery purposes.

Establish 5-or-10-year close seasons for all endangered species.

Absolutely prevent the ownership of firearms by aliens.

Really, I think that for the last 20 years we have stuck to our last with commendable closeness! If the demnition total of gunners could have been held down to the 1,486,000 output of 1911, instead of increasing *four-fold* by 1929, the reforms in killing that we helped to put over would have increased game enormously. But with more than 400 per cent. of increase in killers, our last state is nearly as bad as the first.

Such is life, in this Valley of Disappointments.

## CHAPTER II

### CRUSHING WILD LIFE TO DEATH

*Crushing the Game.* It seems as if all the killable game of North America, except rabbits, is now being crushed to death between the upper millstone of Industries and Trade, and the conglomerate lower millstone made up by the killers of wild life. We are certain that not one per cent. of the people of the United States realize this, and that not one-tenth of one per cent. is doing anything to reform and stabilize this deadly condition.

First, I call upon the screen a picture of *The Weapon-Makers*, involving scores of big factories, hundreds of captains of industry, and thousands of busy operatives, engaged in the manufacture of the guns, gunpowder, shot, and cartridges that are poured out each year to the millions of hunters and anglers. Next, I call up the army of Personal-Comfort people, making and purveying clothing, bedding, camp outfits, food, and other impedimenta for the millions of outdoors people who go out particularly in quest of wild life. The army of 25,000 hardware dealers and sporting goods people who sell the guns and cartridges require a film of their own.

The third picture is of Those Who Serve—hotel people, guides, packers, boatmen, and killing-club employees, another grand army, all subsisting upon the price of wild life blood. Finally come the authors, editors, publishers, and distributors who make and sell the printed literature and advertising of sport with rod and gun, all to be paid for "in the last analysis" by the wild creatures whom they help to destroy.

In every discussion or history of the causes for the decrease or extinction of North American game, the guns and appliances of the hunters must be given first place. Any person who says, or insinuates, that the guns are not chiefly to blame for the destruction of our birds and mammals is either ignorant or dishonest. The academicians who wish to admit no factors of destruction save the plow, vermin, disease, and drainage may just as well lay off from all that kind of talk, for now it *deceives* NO ONE! As minor factors, they are to be considered, and dealt with according to their needs, but we demand first attention to the guns of the killers.

As for creating and maintaining by breeding game, or by buying and importing game, stocks sufficient to furnish hunting for 7,500,000, *and more than that in the future*, it is nothing but an iridescent dream of conditions that never can and never will come true.

Beginning about 1870, sixty years ago, a perfectly devastating amount of high class American inventive genius and mechanical skill have steadily been directed to the production of super deadly rifles and shotguns for the killing of American game. A history of sporting firearms and ammunition, and their use, would be a history of the extermination of about 90

per cent. of our exterminated game, and yet, the devil himself cannot beat the cool effrontery of the Pharisees of Sport who say:

"American inventive genius should not be discouraged by attacks on modern firearms. American sportsmen never have exterminated any game."

Have you not heard and read those expressions, many a time in the good city of New York?

This chapter is a brief review of game-killing machinery and appliances, some of which can by no means be fully appreciated until fully exhibited. This brief notice can touch only a few of the following:

- |  |  |
|--|--|
| 1. Breech-loading repeating rifles,  | 10. Permanent duck blinds,                   |
| 2. Breech-loading shotguns, double and single,                                     | 11. Sink boxes,                              |
| 3. "Pump" repeating shotguns,  | 12. Boys' .22 calibre rifles, for songbirds, |
| 4. Automatic repeating shotguns,   | 13. Nets and traps for birds,                |
| 5. Automobiles,  | 14. Poison, for many species.                |
| 6. Commercialized hunting clubs,   | 15. Steel traps,                             |
| 7. Live decoys,  | 16. Whale-killing harpoon cannons, and       |
| 8. Baiting waters and grounds,   | 17. Airplanes.                               |
| 9. Gun pits,   |  |
| 18. People who conceal the ugly truth about the killing and extermination of game. |  |

### *What Shall the Harvest Be?*

And now what is the product of all the above? What does it mean to the birds and mammals, game and not game, that are struggling to live, breed and carry on in spite of dry breeding grounds in Canada, the barrage of guns from the Canadian boundary to the Gulf, drained ponds, lakes and marshes, constant shooting on their winter feeding grounds, and yes—"vermin" and other lawbreakers?

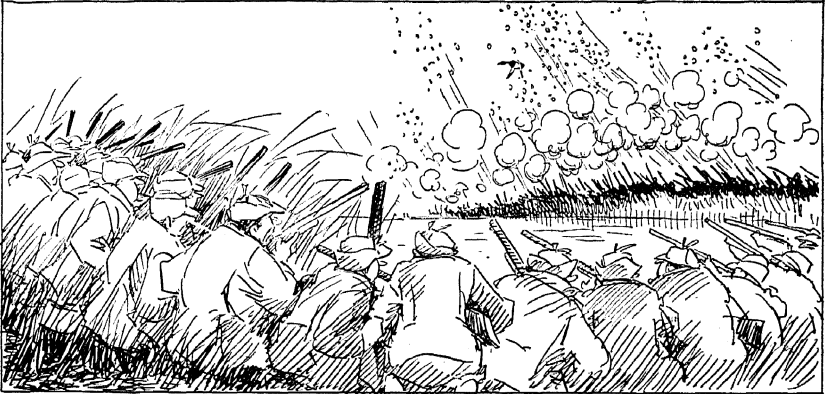
It is a common saying that "Money talks." In that there is much truth. To quickly register a new idea of value or power, the first impulse of the American is to express it in dollars. Not a bad idea. If the dollar mark does not fully explain the situation, the imagination finishes the job.

I think that few persons will accuse me of exuberant recklessness in estimating things that cannot be counted. At this juncture I think it desirable to try to figure out the approximate weight of the money power that is annually bearing down with crushing weight upon our remnants of wild life. Every thoughtful observer knows that the demnition total must be something awful, but when you figure it out for yourself, as moderately as you know how, your own figures will stagger you.

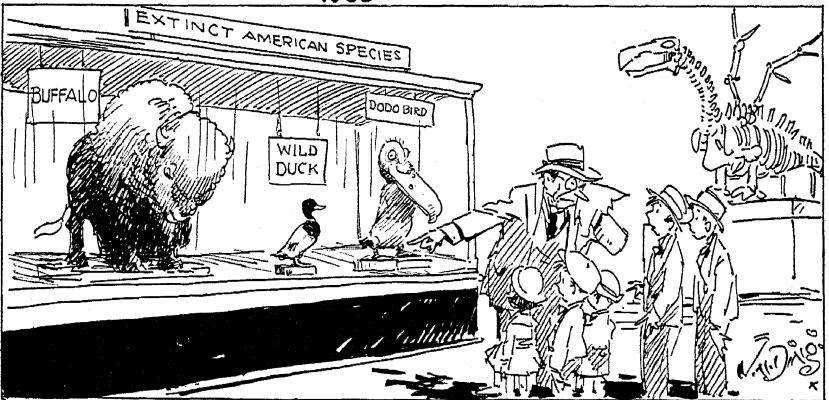
From many figures that are known, and from the best estimates of certain other factors made by men of good knowledge and sound judgment, I now present some simple calculations intended to reveal the annual turnover of cash in the United States drawn from the blood of wild life. I believe that the following figures are reasonable, and well within the truth:



- 1920 -



1930



- 1940 -

WHAT A FEW MORE SEASONS WILL DO TO THE DUCKS  
By J. N. Ding, 1930. By permission of the Tribune Syndicate.

### CALCULATION OF OUR ANNUAL EXPENDITURES IN HUNTING AND KILLING GAME

|  |                     |
|--|---------------------|
| Annual outlay for new guns and ammunition . . . . .  | \$ 40,000,000       |
| Annual expenditures of 6,000,000 licensed hunters of birds and small game, for outfit goods, transportation, dogs, guides, boatmen, board and lodging, average \$30 each—<br>(and a <i>very low</i> figure!) . . . . . | 180,000,000         |
| Annual expenditures of 462,556 big game hunters and "rich" waterfowl hunters, ranging from \$100 to \$1,000 each, but estimating the average at \$150 each . . . . .   | 63,127,800          |
| Annual expenditures of 1,500,000 unlicensed hunters, on their home grounds, say \$10 each for all supplies per season . . . . .  | 15,000,000          |
| Actual cost of licenses in 1929 for 6,462,556 licenced hunters, as officially reported . . . . .   | 9,391,412           |
|  | <hr/> \$307,519,212 |

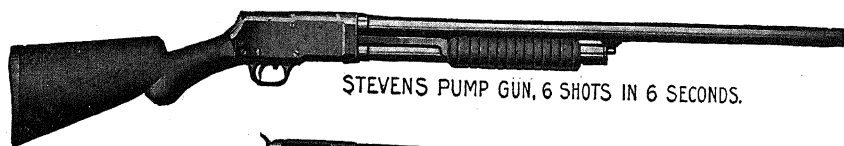
### WAYS AND MEANS

Out of the fog of addresses, articles and talk about all means of game destruction save the most devastating kind (shooting) it is now high time to go back to the Basic Cause. Do not permit any defender of game-hogs to wave away this subject of universal nation-madness for game SHOOTING!

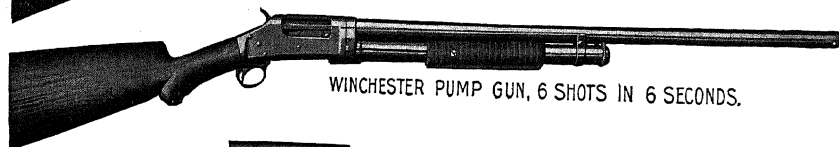
*Breech-Loading Repeating Rifles.* These weapons ushered in the new era of game extermination! The single-shot breech-loading rifle came in very limitedly during our civil war. I personally knew, 47 years ago, Dr. Edward Maynard, inventor of the only breech-loading rifle that was used in our war. It was the 40-90 heavy Sharp's single-shot rifle that exterminated our buffalo as a wild animal, between 1870 and 1884. The Winchester and Remington repeating rifles, and Maynard and Ballard single-shots were in the West in 1876, and the elk, deer, antelope, sheep and goats were being swept away with fatal rapidity. On account of the limitations of black powder, the trajectory of those early rifles was high. Today, with powerful smokeless powder, modern telescopic rifles can, and actually do, kill game at a *quarter of a mile*! With them, even women and children kill many kinds of game, both great and small.

*The Breech-Loading Shotguns* of this century are, of course, far more deadly to game than the old muzzle-loaders, and their price even at the beginning was so low that the change in patterns was made without a jar. About 83 different patterns are now made and used in the United States, varying in price from \$10 up to \$1,109.85. While they are proper guns for legitimate sport, a duck hunter with two or three double guns in his blind, or his boat, or his sink-box, fed by an assistant, easily becomes a game-hog.

*The Pump Gun and Automatic Shotgun.* These devastating weapons were born at the very beginning of this century, but I think the "pump" came first. I think that 1902 was practically the birth year of the automatic. The former had a magazine that held 5 cartridges, and it was fired by a



STEVENS PUMP GUN, 6 SHOTS IN 6 SECONDS.



WINCHESTER PUMP GUN, 6 SHOTS IN 6 SECONDS.

REMINGTON AUTOMATIC, 5 SHOTS IN 4 SECONDS.  
Loaded and cocked by its own recoil.WINCHESTER AUTOLOADING, 5 SHOTS IN 4 SECONDS  
Loaded and cocked by its own recoil.

## AUTOMATIC AND PUMP SHOTGUNS

The manufacture of the Winchester automatic shotgun was discontinued in 1928.

movable sleeve under the barrel, operated by the left hand without removal from the shoulder; and while its six shots could be discharged in about 6 seconds, their real time of delivery was about 12 seconds.

The automatic shotgun carries a total of 5 shots. It is cocked once by hand, and in firing the other four shots the gun is cocked each time *by means of its own recoil!* All that the user then does is to aim the weapon and pull the trigger. The five shots can be fired in 4 seconds, and are easily delivered in ten seconds, which means a continuous fan-shaped stream of chilled shot.

In wild life protection, "investigations" and "researches" may be either a curse or a blessing. We have found that because of their almost universal long-windedness and their stalling proclivities, the odds are in favor of the former. Few are the men who have the largeness of mind to spend time in researches that may destroy their own pet theories, or endanger their own loaves and fishes. Even I shrink from banding ducks in order to determine by or through their tags or carcasses how many millions of ducks remain unshot each year in these shot-riddled United States.

By the same rules of modesty, the exploiters of wild life carefully refrain from researches and investigations of (a) the number of ducks killed last year in each state, (b) the number wounded and lost, (c) the number shot over and above the bag limits, and (d) the number sold by bootleggers. For banding ducks there is time galore, and for endless travel to keep organizations sold to the People—but in work for nasty killing statistics there is nothing doing.

But let us, above all things, be open-minded and receptive. To show our good faith in the principle of "scientific" investigation and research,

we have gone into that field ourselves. We have slaved for two hours in gathering data on a subject of wide range, and of penetrating importance to the surviving ducks of North America. It touches upon and appertains to the genera and species of automatic shotguns and pump repeating shotguns, so gloriously manufactured, so diligently purchased and excessively used on the aforesaid game birds of our happy land and our baited waters.

Inasmuch as seeing is believing, we have gone to great labor and expense in reproducing all the genera and species of this machine-gun fauna. We are, however, powerless to depict the ingenuity in invention, the artistry in design, the perfection in workmanship, and the deadliness in execution of these noble Works of Man.

Of one thing, not exactly provable, we are yet reasonably sure. We believe that the remaining ducks of North America will admire to be shot by such glorious weapons as those depicted here—with tax-free cartridges that cheerfully spray wide streams of chilled shot at every duck either in range or nearly so, going or coming. The shot that enter the viscera of long-range ducks without bringing them down at once, undoubtedly are cherished as souvenirs of glorious days in the open. Every regular duck appreciates the delicate attention manifested by an elegant gun covering every mouthful of food, from half an hour before sunrise clear along to the vesper take-off.

We are told that about 85 per cent. of the Sportsmen of North America love the automatic and pump guns firing 6 shots or 5 shots each, in 6 seconds or 4, as the case may be. They “just will have them.” We are told (officially) that our Sportsmen desire to pay tribute, in shot, to the ducks and geese of our game-protected land, for either 12 or 14 weeks per year, as the case may be. Slandorous tongues allege that many of them practice some shady methods in the noble cause of duck-getting. Yes; it is hard to believe that any ethical citizen hunter would crib, cabin and confine a lot of maimed, halt and blind geese to use as innocent decoys, to lure by their loud cries for “Help” their wild blood brothers out of the sky, and into the range of the machine guns. However.

We are not sore on double-barreled shotguns, provided they do not get into the bad company of men who want three guns apiece in the boat. One double-barreled gun is a gentlemen’s weapon. Every assistant gun is an offense to good sporting ethics, and an injustice to the game!

### *Shotguns in Use Today.*

In the invention of guns for use in the killing of game, from the smallest to the largest, American genius seems to have surpassed its foreign competitors. In breech-loading and repeating rifles and revolvers, the Winchesters, Remingtons and Colts were the pioneers. In shotguns the amazing inventive genius of three generations of men of the Browning family, of Ogden, Utah, made a notable hit by producing the automatic shotgun (and also automatic rifles, revolvers and machine guns). The basic feature absorbs the recoil of the gun by (1) ejecting the empty cartridge, (2) by throwing a new one into the barrel, and (3) also cocking the gun for another shot.



A DUCK HUNTING AUTOMOBILE AT PINEHURST, NORTH CAROLINA, 1929

The old federal bag limit in operation. P. & A. Photo.

Can you wonder that in 1904 we became scared to death about the new machine for killing birds, bearing the then mysterious name of Browning? We were paralyzed with fear of this gun, and also of the already existing "pump gun," carrying 6 shots, and worked—at the rate of little more than one second per shot—by a sliding sleeve under the barrel where the old tipstock used to be.

The bird hunters of America went crazy for those two types of repeating guns. The Browning patents spread into other guns, and now we are told that many American gunmakers are using more-or-less of the Browning patents. Can you wonder? Capt. Paul A. Curtis, Jr., says: "The westerner unfortunately uses repeating and automatic guns almost exclusively" (page 67).

But all this is academic. We are no longer "fighting" these guns. We have had to give up beaten. The masses of hunters cannot be, and never will be, "educated" out of their use! We are trying to save some game by all the roads that are open to us—except game "breeding" in captivity, and the buying of game, for use as gunfodder. We are now asking the gun manufacturers to help us save some game, and a reasonable amount of sport, *along our lines*; and I think that some of them at least wish us good luck.

Meanwhile, as Exhibit A of the Dangers to American Game, and a warning to get busy, we put before the World-at-Large a more-or-less adequate display of the Guns now in use in the United States in killing birds. We briefly list each one of the super-deadly 26 repeating shotguns for sport, and also the 83 double-barreled guns, and singles.



The two types of repeaters are illustrated, but it is to be noted that the Winchester Arms Company has now *ceased to make the automatic gun shown, or any other!* This is a distinct gesture to conservation, and we salute the Winchester Company on this achievement.

#### REPEATING SHOTGUNS FOR HUNTING

##### *Browning Arms Company*

|                               |          |
|-------------------------------|----------|
| 12 Gauge Standard Grade No. 1 | \$ 61.00 |
| 16 " " " " 1                  | 65.50    |
| 12 " " " " 2                  | 76.00    |
| 16 " " " " 2                  | 80.00    |
| 12 " " " " 3                  | 188.00   |
| 16 " " " " 3                  | 192.50   |
| 12 " " " " 4                  | 288.00   |
| 16 " " " " 4                  | 292.50   |

##### *Remington Arms Company*

|  |          |
|--|----------|
| Model 11 A. Autoloading, Standard Grade              | \$ 56.75 |
| " 11 B. Special Grade (auto)                         | 84.35    |
| " 29 A. Pump Standard Grade                          | 49.30    |
| " 29 B. Special Grade (pump)                         | 140.00   |
| " 17 20 Gauge (pump)                                 | 49.30    |
| The (1930) "Sportsman" (auto) 20 gauge, 3 shots only | 56.75    |

##### *Winchester Arms Company*

|   |          |
|---|----------|
| Model 97, Standard Grade (pump-gun, 12 gauge) | \$ 43.30 |
| " 12, " " ( " " , 12, 16 and 20 gauge)        | 49.25    |

##### *Marlin Fire Arms Company*

|                           |          |
|---------------------------|----------|
| Model 42A—12 gauge (pump) | \$ 42.20 |
| " 43A—" " "               | 100.00   |
| " 53 —" " "               | 42.50    |
| " 410—" " "               | 30.80    |

##### *Savage Arms Corporation*

|                          |          |
|--------------------------|----------|
| Model 28A—Standard Grade | \$ 44.50 |
| " 28B " "                | 53.00    |
| " 28C Riot Gun           | 44.50    |
| " 28S Standard           | 49.00    |

##### *Stevens Arms Company*

|   |          |
|---|----------|
| 620 Stevens-Browning Hammerless, auto. 12, 16 and 20 gauge.<br>Field grade  | \$ 38.95 |
| 621 Stevens-Browning Hammerless, auto. 12, 16 and 20 gauge.<br>Field grade  | 44.00    |
| Total cost of the 26 repeating gun units, \$2,301.95. Average<br>cost, each | \$ 88.53 |

## DOUBLE-BARRELED SHOTGUNS, AND SINGLES

(Not repeating. S="single.")

*Parker Gun Company*

|                   |          |
|-------------------|----------|
| A 1 Special ..... | \$750.00 |
| AA H. E. ....     | 625.00   |
| B. H. E. ....     | 300.00   |
| A. H. E. ....     | 425.00   |
| D. H. E. ....     | 160.00   |
| C. H. E. ....     | 215.00   |
| D. H. ....        | 135.00   |
| G. H. E. ....     | 115.00   |
| G. H. ....        | 95.00    |
| V. H. E. ....     | 87.00    |
| V. H. ....        | 68.00    |
| Trojan .....      | 55.00    |
| Trap S. ....      | 160.00   |

*A. H. Fox Gun Company*

|                          |          |
|--------------------------|----------|
| Sterlingworth Grade .... | \$ 48.40 |
| Grade A. ....            | 64.50    |
| " H. E. ....             | 66.50    |
| " C. E. ....             | 100.00   |
| " X. E. ....             | 172.60   |
| " D. E. ....             | 256.60   |
| " F. E. ....             | 466.50   |
| " G. E. ....             | 1026.00  |
| Kautzky S. ....          | 28.90    |
| Grade J. S. ....         | 125.00   |
| " K. S. ....             | 150.00   |
| " L. S. ....             | 185.00   |
| " M. S. ....             | 466.50   |

*Ithaca Gun Company*

|                   |          |
|-------------------|----------|
| Field Grade ..... | \$ 37.50 |
| No. 1 .....       | 47.50    |
| " 2 .....         | 57.50    |
| " 3 .....         | 75.00    |
| " 4 .....         | 100.00   |
| " 5 .....         | 175.00   |
| " 7 .....         | 350.00   |
| Victory S .....   | 100.00   |
| Trap S. ....      | 175.00   |

*L. C. Smith Gun Company*

|                 |          |
|-----------------|----------|
| Field .....     | \$ 39.89 |
| Ideal .....     | 55.63    |
| Trap .....      | 71.40    |
| Specialty ..... | 90.62    |
| Eagle .....     | 199.35   |
| Crown .....     | 229.80   |
| Monogram .....  | 454.10   |
| Premier .....   | 737.10   |
| De Luxe .....   | 1109.85  |
| Trap .....      | 866.90   |
| Trap S. ....    | 414.10   |

*LeFever Gun Company*

|                     |          |
|---------------------|----------|
| Nitro Special ..... | \$ 28.25 |
| Single .....        | 16.00    |

*Hunter Arms Company*

|                      |          |
|----------------------|----------|
| Fulton Special ..... | \$ 34.96 |
| The Fulton .....     | 29.00    |

*Iver-Johnson Company*

|                  |          |
|------------------|----------|
| Trap Gun S. .... | \$ 16.00 |
| No. 26 S. ....   |          |
| No. 412 S. ....  | 15.75    |
| " 416 S. ....    | 15.75    |
| " 420 S. ....    | 15.75    |
| " 421 S. ....    | 15.75    |
| Champion S. .... | 10.25    |
| Trap S. ....     | 8.80     |
| Hercules .....   | 34.00    |
| Trap .....       | 50.00    |

*Harrington and Richardson Co.*

|                      |          |
|----------------------|----------|
| Model 1908 S. ....   | \$ 10.00 |
| Heavy Breach S. .... | 12.50    |
| Folding Gun S. ....  | 12.00    |
| Top Rib S. ....      | 14.00    |
| Model 1915 S. ....   | 10.00    |
| Hammerless S. ....   | 12.00    |
| Bay State S. ....    | 8.80     |

| <i>Springfield Gun Company</i>                                 |          | <i>Stevens Gun Company</i> |          |
|--|----------|----------------------------|----------|
| Long Range .....   | \$ 20.00 | Hammerless .....           | \$ 26.75 |
| No. 215 .....  | 20.40    | No. 335 .....              | 27.50    |
| " 95 S. ....   | 10.00    | " 235 .....                | 25.00    |
| " 94 S. ....   | 8.70     | Dreadnaught S. ....        | 12.75    |
| De Luxe .....  | 26.50    | No. 116 S. ....            | 13.75    |
| No. 315 .....  | 21.50    | " 105 S. ....              | 10.00    |
| " 958 S. ....  | 10.00    | " 107 S. ....              | 10.50    |
| " 311 .....  | 21.20    | " 106 S. ....              | 10.50    |
|  |          | " 108 S. ....              | 10.50    |
| Total cost of the above 83 gun units, \$8,351.05. Average cost |          |                            |          |
| per gun .....  |          |                            | \$100.60 |

For a quarter of a century the repeating shotguns have done frightful execution among American geese and ducks, and they were also horribly bad on all game birds. In the hands of market shooters the slaughter that they wrought was sickening. The killing of 100 ducks in a day by one gunner was a common occurrence; nor were the feats (!) of that kind confined to market gunners. Many a sportsman strove for that mark in order to have a record to brag of. In the central California goose shambles it was a common feat for a pit hunter to kill every goose of a small flock in its attempt to fly over his concealed position and his live decoy geese.

The worst slaughter of which we have accurate figures from the men who did it occurred on February 5, 1906, on the grounds of the Glenn County Club, at Willows, California, when two visiting sportsmen armed with automatics killed 218 geese in one hour, and killed a total of 450 geese during the day. The birds were sent to market. That occurrence did more to enrage the public, and shame true sportsmen, than any other wildfowl slaughter of which we know. Fortunately a photograph was taken of the 218 victims of the "first hour's shoot," and it got into general circulation.

But the envious East was not always far behind California. In 1915 a resident of Bellport, Long Island, wrote me that by skillfully attacking ducks at a winter water hole and feeding place at the mouth of the Patchogue River, "Baldwin Gordon killed 325 broadbill ducks in one forenoon, and no doubt would have killed more if his ammunition had held out." That feat was accomplished before the Bayne law was born.

In 1904 George O. Shields started a war of bitter protest against the sale and use of automatic shotguns. In 1905 the New York Zoological Society felt really compelled to join the opponents of those deadly machines of slaughter. I was authorized and directed to attend to the details of the Society's opposition. Our campaign was opened in our bimonthly "Bulletin," of which publication a special automatic-gun number was issued. Many organizations of sportsmen and friends of wild life openly joined our opposition cause, but Mr. Shield's *Recreation* was at that time, and afterward, the only opposition magazine.

Various provinces of Canada promptly enacted laws prohibiting the use of those guns. In 1905 the Zoological Society caused a prohibitive bill to be introduced at Albany, but we never came even near to securing



SUCCESSFUL DUCK HUNTING IN CANADA

The real duck hunting season in Canada is just about 6 weeks long. Ours is from 12 to 14 weeks! (Underwood)



A MARYLAND SINK-BOX IN OPERATION



(Underwood)

A COMFORTABLE DUCK BLIND



A MARYLAND SPORTSMAN, GUIDE, DOG, BOAT AND DUCKS

This represents the outfit in support of every sink-box hunter. The big "tender" boat, men and decoys cost about \$100 per day for two hunters.

its passage. In 1907 the Pennsylvania legislature passed a prohibitive law, and when a test case reached the United States Supreme Court that highest tribunal pronounced the law entirely constitutional. In 1912, led by the late Ernest Napier, President of the State Game Commission, the New Jersey legislature enacted a law prohibiting the use of repeating shotguns in New Jersey unless reduced to two shots, and Gov. Woodrow Wilson promptly signed it, against the protests of the gunmakers.

The passage of similar laws were sought in eight other states, and real fights for them were made in Texas, Ohio, Georgia and other states, but no other prohibitive legislation ever was enacted in the United States, than that described above.

The reasons why those super-deadly guns were not generally prohibited by law are easily stated. In the first place, the millionaire corporations behind those guns *would not permit such laws to be passed*. Their lawyers and lobbyists beat ours!

In the second place, 85 per cent. of the hunters and sportsmen of the United States WANTED those guns, they were determined to have them, and they and the gunmakers absolutely controlled the situation in the legislatures of 46 states, and do so to this day. In 1913 we decided to give up the fight, and go after other measures that make for game salvage—when attained.

*The Camp-Fire Club's Automatic Gun Reform Effort.* In 1922 a very sane and reasonable effort was made by the Camp-Fire Club of America to diminish the super-deadliness of the automatic and pump shot-guns of the nation. At the club's Annual Meeting of March 4, Mr. Howard Hadden introduced a brief resolution calling for a reform, by reducing each gun to a limit of two shots without removal for reloading, and naming five members to constitute a Committee of promotion. The Committee created consisted of Marshall McLean, Chairman, and Messrs. Hornaday, Burnham, Pearson, and Greely.

The Chairman immediately communicated with all existing state game commissions, stated the case for the game, and invited approval and co-operation in an approach to the Secretary of Agriculture with a petition for a regulation to effect the reform desired in so far as the hunting of migratory game was concerned. Thirty-five states responded. Twenty-four were outspokenly *in favor* of limiting the use of the automatic shotgun to two shots.

Eight states were doubtful, and three states were outspokenly opposed to the proposition. They were Georgia, Montana, and Ohio.

The Chairman laid the whole matter before two of the Companies manufacturing automatic guns, and invited cooperation from them. The Remington Arms Company vigorously opposed any limitations on the use of the automatic shotgun. The Winchester Arms Company boldly declared about as follows:—"in respect to the continued manufacture of the automatic gun, we are willing to abide by the verdict of sportsmen of such an organization as the Camp-Fire Club."

(It should be noted here that in 1928 the Winchester Company *did* discontinue the manufacture of automatic guns.)

On November 27, 1922, the Committee addressed to Secretary Henry C. Wallace an excellent memorial setting forth the Club's case in behalf of a reform in shooting game, and requested the issue of a regulation to carry the proposed reform into effect. A hearing was held by Assistant Secretary C. V. Pugsley, on February 27, 1923. For the Biological Survey it was attended by Mr. W. C. Henderson, Assistant Chief, and George A. Lawyer, U. S. Game Warden, both of whom opposed the granting of the petition embodied in the memorial.

The petition of the Camp-Fire Club was denied.

*Duck Blinds, Batteries, Sink-Boxes and Gun Pits.* This subject needs for its full treatment about three chapters; but what is the use? It is so broad, so diversified and so elaborate in details that to the non-shooter it is fairly bewildering. Look in the book of Captain Curtis, mentioned below, and you will find out a lot about it.

These equipments for bird killing vary from the humble grass blind on a mud foundation to the majestic permanent "blind" establishment, the one-hundred-dollars-a-day steamboat and fleet of small boats and decoys, the clubhouse blind of Massachusetts, and back again to the hole-in-the-ground gun-pit of central California, surrounded by a hundred live-goose decoys. The cost of a Long Island sink-box outfit is about \$45 per day.

The ways of real sportsmen in finding and killing real game make an interesting line of study. The absence of desire to put back into the lap of Nature a quid pro quo for what they take out of it is almost universal; so no one wonders at it. Usually, if sportsmen grumble, it is because somebody has not "enforced the laws" more diligently, and held in leash more game for them to kill.

Of the books on the ways and means of hunters, one of the best that I know is that of Captain Paul A. Curtis, Jr. (Dutton), entitled "American Game Shooting." Its discourses on outwitting and killing waterfowl are quite pertinent; and the subject of decoys, duck blinds and sink-boxes is just now particularly interesting. The description of the world's greatest duck blind is so interesting that it deserves to be quoted in full. It is as follows:

"But comfortable as they are, I have never seen any blinds so luxurious as those used on Lake Champlain, as shown in the illustration. This is a veritable house built up on piles, with a front porch having a shooting platform upon which the gunners jump up to fire over the tall cedars. Under the shooting platform is a cage for the decoys. Inside in an area usually 7 feet by 10 feet with a seven-foot ceiling are—item, two double bunks, one above the other, three camp chairs, one cook stove, one table with cupboard, gun racks, etc.

"In this delightful family atmosphere I lived for three days with the Game Commissioner of Vermont, Lt. Col. H. P. Sheldon, now Chief Federal Game Warden of the U. S. at South Hero, eating, sleeping, swapping lies and shooting ducks all under one roof—and right good shooting we had of it too!—at the wariest of birds, black mallards; though why in the name of duck sense they ever allowed themselves to be lured into shooting range of such a monstrosity, sitting out on the shore of the lake with a broad yellow marsh in back of it, and not an evergreen within a mile to harmonize with those with which the blind was covered, is more than I can say. The illustration speaks for itself."

\* \* \* \* \*

To facilitate the operations of duck hunters, in 1929 the State of Maryland issued licenses for the use of 2,051 duck blinds, 111 sneak boats, 59 pushers and 76 sink-boxes—all perfectly legitimate. And there were 25 game wardens to watch over the fortunes and misfortunes of 68,566 licensed hunters.

*The Automobile as a Killer.* The swift and deadly automobile has overwhelmingly changed the complexion of hunting on land. This is horribly true of the United States, Mexico, Southern Canada, India, Australia, and all Africa in particular, from Cairo and Tangier to the Cape.



Reader, just pause for a moment, close your eyes and *think of the millions of automobiles which each year whirl millions of sportsmen to the haunts of game which, were it to save their souls, they could not reach by any other means available to man!* I can show you a picture of a car that in one day carried three baseball players from Los Angeles to Glenn County, California (near Sacramento) about 500 miles, and enabled each one to pay his \$10 to a "commercial club," and get his bag-limit of 8 geese before 10 o'clock the next morning. I can show you a picture of a car in Texas loaded down with six different kinds of game. I can show you a Ford car in India beside the dead elephant that Charles Theobald killed by its aid. The game protectors of Kenia Province, British East Africa, can show you pictures of automobiles enclosed in strong wire netting, which until recently were used in hunting lions *in absolute luxury and safety.*

I could fill many pages with pictures of automobiles and dead game, from California to the Carolinas, but what is the use? Everybody knows that the terrible automobile has increased the perils and death losses to game by fully 50 per cent.; and thus far no one has disputed this estimate. In hunting our upland game in good-roads country, a party in an auto can visit and comb out in one day fully four times as much grouse, and quail and rabbit territory as could be exploited by a horse-drawn vehicle.

Like the repeating rifles and shotguns, the automobiles of the world are a withering curse to all land game. Can its use be prevented by law? *No! It can not!* The legal difficulties and limitations are too many. The one and only thing to do about the swarming automobile *hunters* is to sternly limit their killing privileges—and take the cursings that will follow.

Any civilized country that continues to permit every citizen with a gun and a tupenny license to go hunting by automobile *every year is absolutely CERTAIN to lose all of its "free" game!*

**No man in the United States should be permitted to hunt more often than every other year!**

*Wild Life Killed on Highways by Automobiles.* This is now a fruitful subject. We can only touch upon it here. You cannot grasp its meaning without a long string of detailed observations, and countings of grouse, song birds, woodpeckers, rabbits, and squirrels. I will, however, quote the following from Mr. Irving Brant and the New York Herald-Tribune.

"Among small mammals and birds, the automobile is a tremendous destroyer, and their attitude varies with every species. The most helpless in the face of traffic are the red-headed woodpecker, a gray ground squirrel of Saskatchewan and Alberta, and the Franklin grouse, or "fool hen" of the Canadian Rockies. The number of squirrels killed by traffic is incalculable, and a common sight is to see a squirrel sniffing at the body of his freshly killed mate, perhaps meeting death himself five seconds afterward.

"The red-headed woodpecker was until recently one of the commonest and most valuable species of insect destroyers in the Middle West. Then came the automobile. Driving across Illinois four years ago, I counted 13 dead red-headed woodpeckers on the concrete paving in a space of eight miles. Driving across the United States last year I saw only one red-headed

woodpecker, living or dead, on the entire trip. . . . Among eastern song-birds the catbird and brown thrasher are common highway victims, and the English sparrow, perhaps made careless by numbers, is not so expert (about getting away) as might be expected. Fortunately few of the song-birds alight in the roads. . . .

"But how different is the magpie! This brilliant black and white scavenger, resorting to the highway to feed on jack rabbits and prairie dogs laid low by passing cars, swings away from his feast at the last possible moment and scarcely comes to rest on a nearby fence before he is back at his task."

In the *Wilson Bulletin* for March, 1927 (Sioux City, Iowa) Charles J. Spiker published an astounding article entitled "Feathered Victims of the Automobile." It is astounding because of the bird slaughter it revealed. In bicycle tours in Iowa in 1926, covering over 3,500 miles, that diligent observer saw and counted and identified 277 dead birds—killed by automobiles. They represented 28 species, and 7 different orders of birds. There were 3 species of rails and plovers, 3 of grouse and pheasants, 1 dove, 1 bird of prey, 2 of woodpeckers, and 18 species of perchers and singers.

Other observers have noted many skunks, rabbits and woodchucks killed by automobiles; but of course the totals of such killings will in the future grow steadily less as the victims are continuously blotted out.

*The Game-Killing Airplane.* And now, what think you is the latest (but not necessarily the *last*) enemy of the luckless wild life of the world? What is it that is more swift and more penetrating than the demon automobile? What is it that can overtake and decimate birds in the air, in full flight? What is the last word in pursuit—the new thing that matches and surpasses the Devil automobile of the land?

Why, the Devil airplane, of course. At this moment we have before us killing records from many lands. Two are from the Ellensburg (Wash.) Capital. Six prominent eastern sportsmen as the guests of another P. E. S. flew from a Philadelphia airport in a Ludington 6-place monoplane to the plane's home landing place at Combahee plantation, South Carolina, to hunt various kinds of game.

About the same time Mr. Jack Burnham of Ojia, California, and a party of 7 friends flew across the Sierra Nevada Mountains to the Kaibab forest, in north Central Arizona, to do hunting for four days. The plane made the trip in 4½ hours, carrying a full line of camp equipment, and returned successfully on schedule time. It is said that the traveling, if done by automobile, would have been from four to five times as long.

Down in Mexico, in 1928, Hero Lindbergh had a narrow escape from a personal catastrophe in hunting with his airplane. He was induced to take a passenger and go a-hunting in the Sonoran Desert, south of the Pinacate Mountains, after antelope; which, as everybody knows, were in 1922 given ten years of absolute protection throughout all Mexico. Suddenly the news was telegraphed to the States that "*Lindbergh has killed an antelope!*" And immediately there were gasps of surprise, and waves of indignation, followed by critical words.



THE HUNTING AIRPLANE NOW BEATS THE AUTOMOBILE

Arrival of California hunters to hunt game in New Mexico, From the New Mexico State Game Commission.

For a brief season the world's idol was in danger. There was a horrible fear that beloved Lindy had made a serious mistake in sportsmanship. . . . And then Truth came to the rescue. Word was sent posthaste to Outdoor Life Magazine, solemnly declaring on personal knowledge that Lindbergh had NOT killed an antelope; but that a protected antelope was killed, and that the real killer of it was only Col. A. J. McNab, U. S. A., Military Attache at the City of Mexico. That was not the first time that Col. McNab had hunted protected antelope; and since the killer of that last one was only an uncontrollable American Army officer, nobody said anything more about it.

Beyond doubt, henceforth airplanes will be used abundantly in hunting game of many kinds, and as long as any game survives.

*The Bad Ethics of Live Decoy Birds.* This subject is to be mentioned only to condemn the practice to which it refers. It has been set forth in Chapter XI.

Just what is the nature of the next raw deal that the Furies have in store for the harassed, persecuted and bedeviled game of this nation, only the devil knows just now. The open developments will come later. Perhaps it will be the wholesale slaughtering of game en masse with poison gas. We shouldn't wonder. Perhaps for masses of ducks and geese at rest it will be a sportsmanlike form of the Lewis machine gun. Quien sabe?

In the inventing and manufacturing of new and super-deadly ways and means to hunt, maim and kill the gunfodder species of birds and beasts, predatory man is a world-beater; but in devising new means to protect and save his own best game he is only one remove from an imbecile. His thoughts mill around like stampeding cattle, and get nowhere.



THE LAST LIVING HEATH HEN

## CHAPTER III

## THE PROGRESSIVE EXTERMINATION OF GAME

*The extermination of a species is a crime.*

On January 20, 1927, Senator Charles L. McNary drove a nail into the statue of a game administrator in Washington by saying, in reply to a lot of admissions and explanations for non-action in game saving, and permitting too much killing of game:

"This is all academic. What I am wondering is, *why do you hesitate when the facts are so well known?*"

Aye, indeed! "Why" do the defenders of wasteful killing privileges *insist* upon spending YEARS in bird-lore talk, academic researches, and hunting stories while the game is going over the precipice and the main road to game salvage lies straight and wide before us all? Today, the gun-makers and their associates have again refused to take a hand in the REAL salvage and increase of game by cutting down the outrageously long and wickedly wasteful open seasons on waterfowl. They have resolved to devote a fund of \$100,000 to "education" and "investigations." That is like trying to win a war with an equipment of feather pillows—except that

they will fight like hell (when the time comes) to protect the precious killing privileges of the 7,000,000 hunters who buy 800,000,000 cartridges per year—at an advance of 15 per cent. since the war tax was removed! Sportsmen and congressmen, do you get that?

Inasmuch as most general statements may be flatly disputed by men to whom they are disagreeable, and who are determined to evade disagreeable issues, we will now display some figures which seem to leave no room for argument. The reader is invited to leave "his mirth and his employment," and spend just a few moments in studying them. They have important bearings upon the discussions that follow. All of them are drawn from official records, and we assume responsibility for all clerical errors that we may make in their utilization.

## THE BARREN-GROUNDS OF THE UNITED STATES

### NO OPEN SEASONS FOR HUNTING, IN 1930-1931

|                                 |    |                      |    |
|---------------------------------|----|----------------------|----|
| <i>Bobwhite Quail</i> .....     | 13 | states closed out of | 34 |
| <i>Quail, all species</i> ..... | 16 | " " " "              | 48 |
| <i>Ruffed Grouse</i> .....      | 18 | " " " "              | 37 |
| <i>Pinnated Grouse</i> .....    | 16 | " " " "              | 26 |
| <i>Sage Grouse</i> .....        | 6  | " " " "              | 11 |
| <i>Wild Turkey</i> .....        | 14 | " " " "              | 28 |
| <i>Woodcock</i> .....           | 9  | " " " "              | 39 |
| <i>Dove</i> .....               | 25 | " " " "              | 48 |

### U. S. LARGE-GAME CLOSED SEASONS

|                             |   |
|-----------------------------|---|
| <i>Antelope</i> .....       | All the United States closed.   |
| <i>Mountain Goat</i> .....  | All the United States closed except Idaho.  |
| <i>Mountain Sheep</i> ..... | All the United States closed except Wyoming and Idaho.  |
| <i>Caribou</i> .....        | No longer inhabit the United States.  |
| <i>Moose</i> .....          | All the United States closed except Wyoming occasionally.   |
| <i>Bear Species</i> .....   | { No open seasons in Wisconsin and Mississippi.<br>Unprotected in Oregon. Annual closed seasons in 20 states. |

### WORLD-AT-LARGE CLOSED SEASONS ON BIG-GAME

|                                       |  |
|---------------------------------------|--|
| <i>Musk-Ox</i> .....                  | Closed by Canada throughout one-half its range.    |
| <i>White Rhinoceros</i> .....         | Closed by British and Belgian influence.           |
| <i>Mountain Sheep of Mexico</i> ..... | All in 10-year close season of Obregon.            |
| <i>Antelope of Mexico</i> .....       | All in 10-year close season of Obregon.            |
| <i>California Elephant Seal</i> ..... | Perpetually closed by Mexico (Obregon decree).     |
| <i>East African Gorilla</i> .....     | Closed in the Belgian Congo, order of King Albert. |

### NORTH AMERICAN SPECIES RECENTLY EXTERMINATED, OR NEAR IT

**Rhytina: Arctic Sea-Cow**  
**Arizona Elk**  
**California Grizzly Bear**  
**Pallas Cormorant**  
**Great Auk**  
**Labrador Duck**

**Passenger Pigeon**  
**Carolina Parakeet**  
**Heath Hen (One survivor!)**  
**Whooping Crane (Near)**  
**California Condor (Near)**  
**Ivory-billed Woodpecker (Near)**

STATE DETAILS OF GAME AND SPORT EXTERMINATION. All persons who desire the gruesome details of progressive game extinction in the United States can very easily find a full supply. Look for them in the well-ordered annual pamphlet of the U. S. Department of Agriculture, Farmer's Bulletin series entitled "Game Laws of 1910," and all following years. Under each one of the 48 states, look for the gruesome paragraph entitled "No Open Season," and find a long list of names of species that have been shot into oblivion. They remind me of strings of grinning skulls, such as I used to see in the head-houses of the head-hunters of Borneo. A few samples are copied in Chapter III of this volume, to show the style.

SOME STATES HAVE SOME GAME WORTH SAVING. For the encouragement of those who shrink from the idea that "free hunting is doomed," that "the native game is all gone," and that "nothing will remain but alien pheasants and partridges," we have taken pains to collect from five "good-hunting" states the dead-game figures which they have recently assembled. Pennsylvania set this fashion in 1921, and the first bulletin of results both uplifted and depressed us. We were pleased to see that *so much* game had remained unkilld until that year, but we were appalled by the *ridiculously small* percentage of game obtained annually by each hunter!

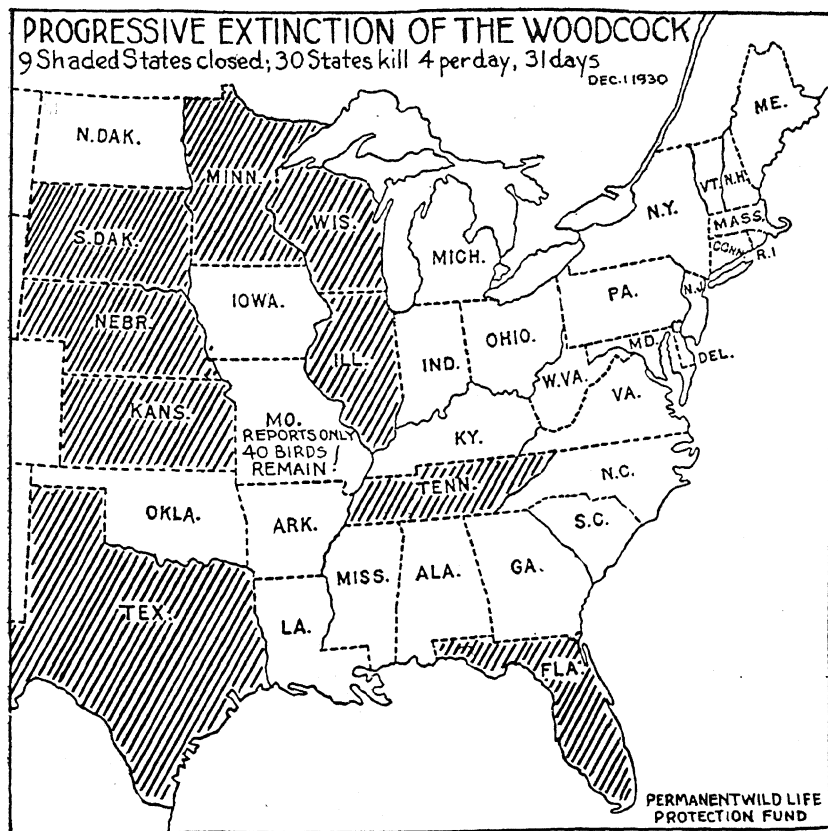
Because of the lessons we can learn from their game records and computations, we now will set forth the game-killing reports of Minnesota, Pennsylvania, New Jersey, Virginia and New Mexico, from which some important conclusions may be drawn:

EXCEPTIONAL RECORDS OF GAME KILLED IN FIVE STATES OF  
"BEST GAME SUPPLY"

|                            | Minnesota<br>1929 | Pennsylvania<br>1929 | New Jersey<br>1927 | Virginia<br>1929 | New Mexico<br>1929 |
|----------------------------|-------------------|----------------------|--------------------|------------------|--------------------|
| Ducks                      | 1,473,512         | 45,008               | 64,404             | 141,305          | 250,874            |
| Geese                      | 3,488             | with ducks           | 6,980              | 18,560           | 4,908              |
| Quail                      | 2,700             | 212,186              | 76,681             | 242,177          | 291,550            |
| Grouse                     | 10,547            |                      | 10,113             | 11,361           | 260                |
| Turkey                     |                   | 8,834                |                    | 6,204            | 342                |
| Woodcock                   |                   | with snipe           | 9,915              | 3,111            | 2,529              |
| Snipe                      | 13,475            | 72,666†              |                    | 6,064            |                    |
| Hunting Licenses<br>Issued | 110,536           | 516,603              | 195,121            | 144,215          | 31,846             |
| Total License<br>Receipts  | \$107,674         | \$998,834            |                    | \$249,373.50     | \$116,698          |

† Snipe and shore birds

|                   | Minnesota | Pennsylvania | New Jersey | Virginia | New York |
|-------------------|-----------|--------------|------------|----------|----------|
| English Pheasants |           | 212,082      | 92,728     |          | 167,962  |



MAP OF WOODCOCK, PROGRESSIVE EXTINCTION

The above largest showings of state game killed show a bad outlook for our quail and grouse. This is partly due to the fact that for about 20 years continuous efforts have been made to boost the alien English and Chinese pheasants and Hungarian partridge, while conserving our native game birds only with millions of shotguns—and 800,000,000 cartridges. This noble enterprise has been crowned with an amount of success that fairly insures the complete extinction of all of our own upland game birds at a comparatively early date. Our birds are the victims of both neglect and abuse.

At this late hour, game abundance is frightfully comparative. Usually, sportsmen anxious to “shoot something” consider “some” game in comparison with “no” game. On that basis, 1 bird a season for each hunter could be considered “abundance,” and 1 bird for every 20 hunters “fair hunting!”

To me, all such figures as those spell, *if continued*, just one thing, **EVENTUAL EXTERMINATION**. And I have at this late day no



breath to expend in trying to convince deadly optimists that this is true. The world can take it or leave it.

Now, just to show that we have no rancor about it, we have figured out and present to the curious-minded the following figures—which must be regarded as wildly-optimistic exhibits. If some of our official duck-census enumerators would make up *some* figures touching the game-killing records of each state, we opine that the most of it would look like a collection of skeletons. But the horde of commercial-interest killers and “conservers” of game never will do that.

#### ALL-SEASON AVERAGES ON THE LARGEST KILLS OF GAME IN FOUR OF THE BEST GAME STATES—1927, 1928 OR 1929

The largest kill of ducks (in Minnesota) yielded 13 birds per hunter.

The largest kill of geese (in Virginia) yielded 1 bird for every 8 hunters.

The largest kill of quail (in Virginia) yielded 1 6/10 bird for each hunter.

The largest kill of grouse (in Virginia) yielded 1 bird for every 12½ hunters.

The largest kill of turkeys (in Pennsylvania) yielded 1 bird for about every 50 hunters.

The largest kill of woodcock (in New Jersey) yielded 4 4/5 birds for each woodcock hunter.

(In New Jersey, 187,862 hunters got no woodcock!)

Now, will every fair-minded man answer this question:

How much do these *maximum* kills of game, in *good game states*, look like an “abundance” of game, or any likelihood of survival against the guns of the big destroying ARMIES of those states?

*Per Capita Record of 47,000 Hunters in Pennsylvania, in 1922.* In the year 1922, when Pennsylvania had only 464,132 licensed hunters in the field, the State Game Commission procured returns in detail from 47,000 of them showing what each one had killed during that year. The returns in dead game were added together and divided by 47,000, to get the average bag of each hunter, of each species of game. The published results stood as follows:

#### WHAT EACH OF THE 47,000 HUNTERS ACTUALLY GOT

|   | POUNDS |
|---|--------|
| Of Deer .....   | 1.02   |
| Of Bears .....  | .16    |
| Of Squirrels .....                                    | 1.34   |
| Of Rabbits .....                                      | 23.43  |
| Of Ruffed Grouse .....                                | 1.14   |
| Of Quail .....  | .07    |
| Of Shore Birds, all species, including woodcock ..... | .01    |
| Of Wild Ducks .....                                   | .61    |
| Of Wild Geese .....                                   | .04    |
| Of Wild Turkeys .....                                 | .09    |

Do you think that game is "plentiful in Pennsylvania"? Do you call that "good hunting"? How long do you think it would take the hunters to wipe out everything but the deer and rabbits—if they could find the game?

*Minnesota's Great Bag of Game in 1929.* In 1929 the hunters of Minnesota killed and reported 1,473,512 ducks, of 18 species, and 3,488 geese of 4 species. Full details will appear in the next chapter. In that year Minnesota issued licenses to 110,536 sportsmen.

Minnesota is the greatest point of United States convergence of Canadian ducks and geese. Her easy flyways, her thousands of lakes, ponds and marshes, and her fine natural supplies of duck food draw waterfowl as a magnet draws tacks. With commendable enterprise, Minnesota has analyzed her ducks, and recorded each species separately. So far as we are aware, it is the first time that such a return has been made; and for the waterfowl we reproduce it here. *It conclusively proves once more the utter folly of depending upon bag limits alone to save the game from wholesale slaughter.* We never once said or intimated that lower bag limits are a "cure-all," or "panacea" for game extermination!

Although their total kill of game in 1929 may not look like it, the people of Minnesota always have been awake to their duty toward waterfowl! Several years ago that state reduced its bag limit on ducks and geese to 15 and 5 per day. In 1928 the Minnesota limits were again reduced, to 12 and 5; which, for a state of great waterfowl concentration, was a highly commendable action, and worthy of imitation. Incidentally, Minnesota's figures for 1929 throw a flood of light on what is going on today in all states of great waterfowl concentration and murderously long open season. Bag-limit-reduction alone *will not* save the birds! Now, who will say that the present open seasons should stand as they are?

### *Field and Stream Wails over Duck Scarcity.*

At all times we enjoy proving our case by hostile testimony. My one-time friend, Field and Stream Magazine, has differed from us on almost every conservation issue, ever since August, 1923. In us, it detects not one sound idea, nor any Good Thing. No flowers for us grow either in the Field or beside the Stream that is presided over by Editor Holland. Apparently his ways are not our ways, nor ours his'en. However.

The October issue of Field and Stream has come to our table just in time for honorable mention in this devoted volume. Mr. Holland's editorial on "Ducks?" certainly is grist to the mill of some of those who have been fighting for some saving of gunfodder game, "even at the cannon's mouth." He starts out with an awful error, as follows:

*"Purely restrictive legislation never produced a bird."*

Ye gods and little fishes, Mr. Holland! *Have* you bid Reason a last farewell? Or have English words lost their meaning with the editors of game-killing magazines? However.

The wail that I set out to quote is as follows; and it needs no comments from me. It was based on hearings at the Toronto Convention (in

July, 1930) of the International Association of Game and Fish Commissioners.

"Benjamin Lawton, veteran game official of Alberta, told in open meeting of the scarcity of waterfowl. He told of the drought. He recounted how the settling up of the country had worked against the birds. Lakes seven feet deep several years ago are dry today! Sloughs and pond holes all dry! Mr. Lawton concluded his remarks by saying he didn't believe Alberta had 10 per cent. of the ducks she had ten years ago.

"A. E. Etter, Game Commissioner of Saskatchewan, then arose and said to Mr. Lawton, 'Why be so optimistic?' The story told by Mr. Etter was most disheartening. 'In areas where the roar of rising birds could be heard for miles there are no ducks today.'"

I said that no comment was necessary, but I take it back. There is one.

Before the ink was dry on the above, the Pennsylvania Game News for October 10 arrived, confirming the 50 per cent. decrease in the Canadian duck crop of 1930, and closing with this reminder:

"Ducks on their southward flight will also face a food shortage, due to the drying up of many of the smaller lakes and ponds which formerly served as favorite stopping-off places."

Of course. And in view of the deadly conditions described above, *why* did not the U. S. Secretary of Agriculture at once (in July!) do his duty by *reducing all U. S. killing seasons on ducks and geese by just ONE-HALF?*

And still some people talk about "sportsmen protecting the game!"

#### NEW MEASURES NOW NECESSARY TO CHECK PROGRESSIVE EXTERMINATIONS

1. Pass the McNary-Haugen bill, amended to reduce open seasons on waterfowl to 8 weeks, and stop shooting over *baited waters*.

2. All states should, from their own treasuries, appropriate *some* moneys for more game wardens, and thus provide 50 per cent. more protection of game *during the open seasons for hunting*.<sup>\*</sup> The whole cost of protecting *all* wild life should not be loaded upon the *license fees of sportsmen, and thus drawn from the veins of game birds and mammals!* The people should be taxed for the protection of their insectivorous and non-game birds.

3. In all states, no man should be permitted to hunt game every year, nor any more *than each alternate year*. This would go far toward making game fairly abundant over wide areas, and give some "good hunting" to millions who now pay, but get none!

<sup>\*</sup> Since the above was written we have learned this about New Mexico, from the New Mexico Conservationist. "During the big game season we employ a force of approximately 40 short-time paid men, to serve as wardens in the most congested hunting areas."

4. Every state should firmly specify the highest number of birds and mammals which one hunter might kill in the season of his license, and require him to report each year his total kill of each species, under penalty of no report, no new license.

5. The use of live decoy geese and ducks, being grossly unfair, should no longer be permitted in any civilized country.

6. No shotgun carrying more than two cartridges in its magazine should be sold or used.

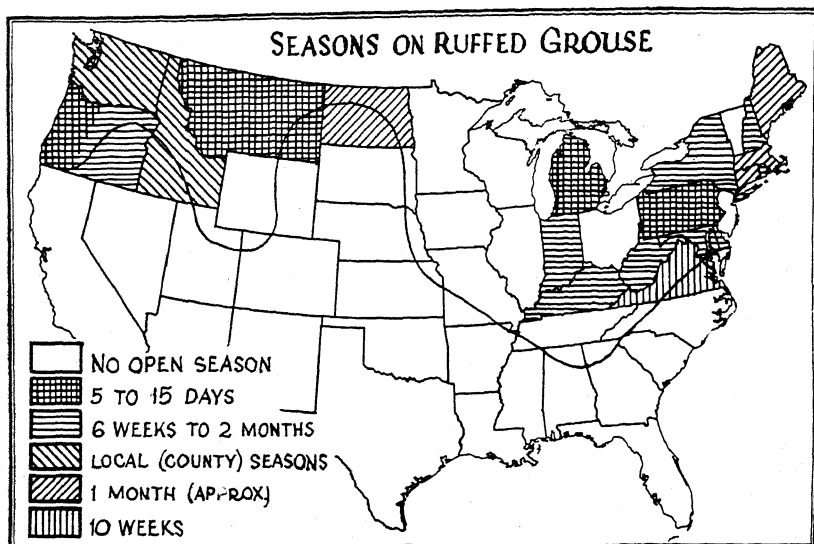
7. The killing of predatory birds should be limited to the great horned, screech, and barred owls; golden eagle, the Cooper and sharp-shin hawks, goshawks, and duck hawks; and the crow, magpie and purple grackle wherever any of them become so numerous as to constitute a destructive pest to better birds or to public welfare.

8. Each state should kill its whole stock of surplus cats, and also all hunting cats.

9. The sale of 22 calibre rifles to boys should be *prohibited* in the interest of the song and insectivorous birds that now are being killed by boys "for fun."

10. The planting of food for wild birds should be undertaken as a nation-wide industry, as now is beginning in Oklahoma and Missouri.

11. All quail states should see to it that adequate quail shelters are provided.



MAP OF SEASONS ON RUFFED GROUSE

The meandering line shows approximately the southern boundary of the home of the Ruffed Grouse. (E. A. Preble in Nature Magazine.)

## CHAPTER IV

### THE PRESENT STATUS OF OUR GAME BIRDS

In 1912 we said something in our "Vanishing Wild Life" book about the "practical" or "total" extinction of valuable species of birds and mammals. How has that industry fared since then? What is there to be said about it now?

In 1912 we defined *practical extermination* as "the destruction of a species to a point so thorough and widespread that the species disappears from view, and living specimens of it cannot be found by seeking them."

The *absolute* extermination of a species means that not one individual of it remains alive.

When five years have passed without a living "record" of a wild specimen, it is time to place that species in the class of the totally extinct.

*Extermination in a wild state* means that the only living representatives are in captivity, or otherwise under protection.

#### BIRDS BELIEVED BEYOND SAVING

"How soon the following species will join the brotherhood of ghosts it is not pleasant to contemplate," says "A Crisis in Conservation."

|                         |                      |                         |
|-------------------------|----------------------|-------------------------|
| Whooping Crane          | Blackburnian Warbler | Golden Plover           |
| Trumpeter Swan          | Sharp-tailed Grouse  | Hudsonian Godwit        |
| Ivory-billed Woodpecker | Pinnated Grouse      | Buff-breasted Sandpiper |
| California Condor       | Sage Grouse          | Upland Plover           |
|                         | Woodcock             |                         |

It would be an easy matter to offer here a list of other species that are going down, and headed for oblivion, but it would consume too much space. Let us shorten the work by dealing with groups of species.

*The Upland Game Birds.*—Quail, grouse and wild turkey.

In general, we know that all these species are rapidly diminishing, and we believe that one by one they will fade out and disappear. This will be due to the fact that Americans have not taken the trouble to save them on a continuing basis. *Please make note of this!* Alien species, particularly the ringnecked pheasant and Hungarian partridge, in many localities are being exploited at the expense of our native quail and grouse, and these are hastening the extinction of our highly valuable native birds. The pheasant is not, however, "taking the place" of the ruffed grouse. It lives in open agricultural lands, and even in the suburbs of cities and towns.

It is feared that the sage grouse *never will be let alone by hunters on a basis of continuous survival!* Neither will the pinnated or the sharp-tail. Both are going down and out. When a gallinaceous species gets down to a certain low point of weakness, persistent shooting, adverse weather, food scarcity, natural enemies, diseases, and ticks will promptly finish it. Look at the d. ligently "protected" heath hen as a case in point.

*The Northern Wild Turkey.* This King of North American Game Birds is now reported by the "Wild Turkey Conservation Association" (Dr. Samuel P. Boyer, Sec.), Johnstown, Pa., to be now extinct throughout an area which, when laid out on a map at this date (1930), shows up as just one-half of its original range of twenty-eight states. It is extinct in twelve states, there is "no hunting" in two states, and some turkey hunting in fourteen states. Says Dr. Boyer,

"Wild turkey culture has been attempted in 26 different states, and abandoned in 8 states. The states which first began this work were the first to abandon it. Texas and Alabama are the two great wild-turkey states." ("The Wild Turkey: A Survey," p. 29.)

With commendable optimism, the Association believes that the turkey's "restoration is not far in the future." And this is the statement of Dr. Boyer regarding the existence of the species today:

"Generally speaking, the wild turkey has become extinct north of a straight line drawn from New York City through to Santa Fe, New Mexico. The only exception is at the extreme western end of the line." The following figures show the best news available about the national stock of northern wild turkeys at this time: In 1929—3,834 wild turkeys were killed in southern Pennsylvania (below the Boyer line) and in Virginia (1928)—8,219.

But let no man be so rash as to conclude from these big-looking figures that the armies of hunters in the states named cannot easily and quickly wipe out all the turkeys that remain. Remember the complete snuffing out of the northern buffalo million between 1880 and 1884. There are still a very few Florida Turkeys in Florida, and traces of Merriam's Turkey in New Mexico, Arizona, and northern Mexico; but they will not last long.

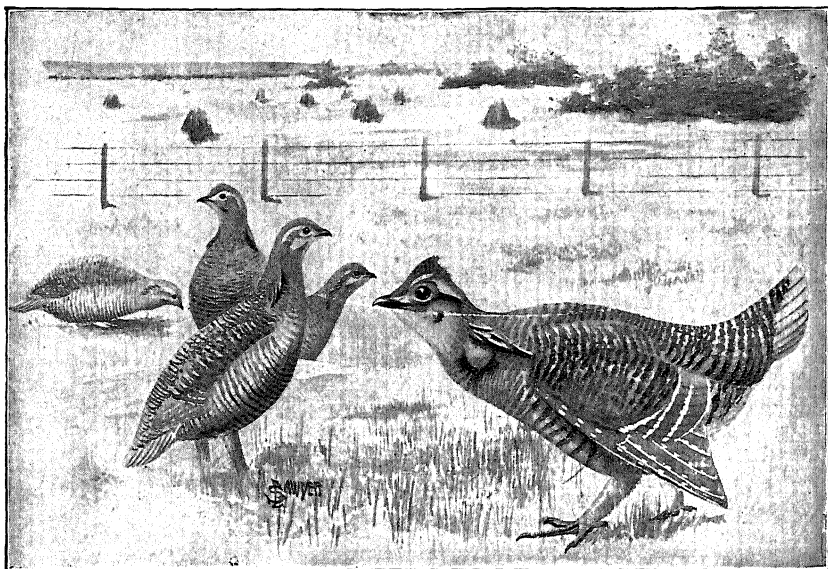


MAP OF PROGRESSIVE EXTERMINATION OF NORTHERN WILD TURKEY

*The Grouse Species.* Unfortunately, all grouse are so large, so conspicuous, so utterly helpless in self-preservation, and so greedily desired for the table that they are positively the easiest of all game birds to find and to exterminate. I think they are the next candidates for oblivion, and that the ruffed grouse is nearly there! The numbers of grouse individuals never were really great, their enemies are many, and like the Christian martyrs in the arena of the Roman Coliseum, they simply CANNOT ESCAPE. In 1898 Game Commissioner Walcott of Connecticut declared that in four years 80,000 grouse had been killed in that state, and that "the survivors face extermination if measures are not taken." But it was too late! Connecticut's grouse are down and out, even though there may be other open seasons on the remains.

The now almost nullified drive we made in 1915 to arouse the West about grouse and quail will be briefly described elsewhere.

All "sportsmen" savagely resent "too long close seasons" on the grouse and quail to which they think *they* hold legal title from the hand of



From the "American Natural History"

#### THE VANISHING PINNATED GROUSE OR WESTERN PRAIRIE CHICKEN

the Creator. Look at the sportsmen of Ohio—busily shooting quail contrary to law, partly for revenge on the law! After our hard drive to put the grouse of the West on a stabilized basis, in which we won some temporary results in six states, in quick time nearly all of them had to give way to the sportsman's demand for a "short open season." The result has been a terrible shrinkage in our results. Eventually the result will be the total loss of all the grouse of the West. What will save any of the seven species of grouse? As sure as the earth rolls on, the fate of the heath hen will be the fate of *all* grouse of the West. . . . The shooters *WILL* have some grouse for their money! Today only two sage grouse states (South Dakota and Utah) out of eight are closed to shooting. Twenty years from now, look in some museum for "the last sage-hen."

*The Ruffed Grouse in 1930.* The November number of Nature Magazine has most opportunely brought to our aid Mr. Edward A. Preble's highly illuminating map and a valuable, though short, article. With a feeling of profound indignation we reproduce the map herewith. It shows 18 ruffed grouse states in which the birds are so scarce that they are in a state of "no open season." Note on the map the meandering line from North Carolina to Oregon, which marks the approximate southern limit of the ruffed grouse species in the United States. "Close to this line," says Mr. Preble, "it has never been really abundant, but over the whole or a part of 40 states it was originally a common species." . . . "Vermont, Ohio, Illinois, Missouri, Wisconsin and Minnesota are among the states where it was originally abundant. The fact that in these states its killing is for-



bidden proves that its status there is precarious; in some of these it is almost extirpated from over-shooting."

"What shall we gather from the facts stated and the map? May we not conclude that in most of our states where grouse still occur, the seasons are arranged to suit the hunter rather than the needs of the birds? In many quarters, indeed, the impending passing of the ruffed grouse is admitted."

*The Wilson Snipe, or Jacksnipe.* At last a scientific sportsman-investigator has made a careful investigation of the progress during the last ten years (1919 to 1930) of a favorite American migratory game bird. In the *Wilson Bulletin* for September, 1930, Mr. Aldo Leopold, of the Game Survey (Sporting Arms and Ammunition Manufacturers Institute), has published the results of ten years close personal investigations by himself and A. W. Schorger in southern Wisconsin, and those by Donald H. Haines made in Michigan. His report is entitled "The Decline of the Jacksnipe in Southern Michigan." It covers a region in which that species once was enormously abundant.

I regret that it is impossible to set forth adequately these interesting records. Mr. Leopold's definite "conclusion" is "that the Jacksnipe in the region of Dane Co., Wisconsin, has decreased perhaps fifty per cent. since 1924."

In central Michigan (Ann Arbor) from 1918 to 1929 inclusive, Mr. D. H. Haines went snipe hunting from 10 to 26 times per year for the 11 years, and his kill per year varied from 0 to 90 birds. In 180 trips he killed just 300 birds, which means an average of  $1\frac{2}{3}$  birds per trip, or 27 birds per year. . . . And "Can ye not discern the signs of the times?"

*To the Bobwhite* we have devoted two chapters. The quail of the Pacific Coast we cheerfully leave to the conservationists of California. The fact that our eastern quail *can not be bred and reared* in captivity with sufficient success to satisfy even one tenth of the *millions* of eastern guns is to be deplored. There is no sense whatever in making a great lot of talk about any quail as a serious factor in "game breeding." If unreasonable dollar-a-year sportsmen demand quail-raising at a loss, or foolish "restocking" with tender Mexican Bobwhite at \$3.00 each—to shoot almost as soon as liberated—why let that gallant work go on. I hear that during the past year 90,000 Mexican quail have been imported. Men who make the Big Sacrifice of \$1.25 or \$2.00 a year for an all-embracing hunting license surely should have "something to shoot for their money." But to a bystander, all these quail importations look like child's play. Meanwhile, *our native quail are being neglected*, and starved out and frozen out, in favor of the alien pheasant and the "Hun" partridge.

*The Ducks and Geese*—The Minnesota and New York lists of recent game-killings are very instructive exhibits for students of game abundance and scarcity, species by species. Those two states have taken pains to identify the various species taken and they give the mortality figures for each. Here are the statements, one good for the funnel-neck of the Mississippi Valley, the other for a big and highly diversified state on our upper Atlantic Coast. We will not try to go far back into forgotten history.

## MINNESOTA GAME KILLED IN 1929-30 BY 110,536 HUNTERS

|                         |         |                           |         |
|-------------------------|---------|---------------------------|---------|
| Mallard ducks .....     | 398,555 | Gallinule .....           | 247     |
| Bluebills .....         | 328,502 | Pintails .....            | 40,210  |
| Coots .....             | 172,827 | Spoonbills .....          | 35,788  |
| Green-winged teal ..... | 111,045 | Butterballs .....         | 11,733  |
| Blue-winged teal .....  | 172,517 | Ringbills .....           | 6,770   |
| Canvasback .....        | 60,952  | Baldpate .....            | 10,178  |
| Redheads .....          | 57,255  | Black mallard .....       | 9,863   |
| Other ducks .....       | 29,238  | Ruddy ducks .....         | 5,805   |
| Snow goose .....        | 718     | Gray ducks .....          | 8,567   |
| Blue goose .....        | 370     | Merganser .....           | 7,845   |
| Prairie chicken .....   | 10,547  | Goldeneye .....           | 5,862   |
| Quail .....             | 2,700   | Canada goose .....        | 2,005   |
| Jacksnipe .....         | 13,475  | White-fronted goose ..... | 395     |
| Dove .....              | 4,608   | Squirrels .....           | 229,082 |
| Rail .....              | 297     | Rabbits .....             | 227,163 |

Minnesota's total returns show 1 quail for every 47 hunters, 1 Canada goose for every 55 hunters, and 13 ducks for each hunter of the 110,536 license-holders.

NEW YORK GAME KILLED IN 1928,  
BY 670,441 HUNTERSTHE PUTNAM COUNTY (N. Y.)  
BAG FOR 1929

| Killed 1928          |         |         | Killed for 1928          |     |
|----------------------|---------|---------|--------------------------|-----|
| Ducks, all species   | 109,695 | 135,659 | Cottontail rabbits ..... | 910 |
| Canada geese ...     | 3,221   | 1,373   | Snowshoe rabbits .....   | 25  |
| Brant .....          | 274     | 87      | Jack rabbits .....       | 52  |
| Wilson or jack-      |         |         | Black squirrels .....    | 1   |
| snipe .....          | 1,326   | 5,004   | Fox squirrels .....      | 1   |
| Black-bellied plover | 17      |         | Gray squirrels .....     | 207 |
| Rails .....          | 241     | 831     | Ducks .....              | 61  |
| Golden plover ..     | 17      | 450     | Quail .....              | 2   |
| Coots .....          | 2,245   | 2,430   | Woodcock .....           | 7   |
| Gallinules .....     | 284     | 350     | Deer .....               | 44  |
| Quail .....          | 8,618   |         |                          |     |

The intelligent observer will not fail to note the species that are feebly represented and imagine the chances for the survival of the most scarce birds. A lot of deer were killed in Putnam County because of about 20 years of close season. We can easily foresee the fate of the weakling species through a continuance of the present basis of killing, each year far more than the annual increase. The days of 1910, when the canvasback was declared by both the market gunners and sportsmen to be "a scarce bird," are not so very far away! Right easily the present millions of guns and improved killing facilities can send the duck and goose supply right back to what it was in 1911, when we stopped the sale of game on the Atlantic Coast for the "rich" ducking clubs and sportsmen who had not the sand to do it themselves! Some of them subscribed liberally to our "discretionary fund"; which showed that then they were really alarmed. But they would not do that now! They *think* there are "plenty of ducks," and other game, that "the destruction of game has been solidly checked," and that we do not know what we are talking about. . . . All right. Just

watch and see—for ducks, geese, quail, grouse, turkeys, woodcock, snipe and other birds.

Sportsmen in the Big Prairie Region say that the annual flights of Canadian ducks are year by year steadily growing smaller, and that this year (1930) the drought has diminished the duck supply 50 per cent. or more!

On the present bad status of our birds, it would be possible to write an entire book as large as this; but what is the use?

### *The Barren Grounds of the United States.*

Biologically speaking, the Barren Grounds of the United States embrace the northeastern third of our country, and much more. The largest section is that which extends from Maine along the Atlantic Ocean to the corner of Maryland; to Harrisburg, Pa.; thence west-by-south along the Ohio River to the northeastern corner of Oklahoma, and on due westward to the main range of the Rockies.

Every desert has its oases; and the states of Minnesota and Pennsylvania are two conspicuous wild life oases in our northern Barren Grounds. If you take a look at the map in this volume showing the extinction of the northern wild turkey throughout twelve of our northern states, and carry the western limit of extermination on to the base of the Rockies, you will literally "see what I mean." Other barren grounds in our country are the arid regions, generally—once quite well populated with various species of game, both large and small, but on which those fatally exposed wild creatures were easily blotted out.

From this great northeastern third of the United States (excepting the two states noted), all our big game species except white-tailed deer and black bear have been shot down within sight of the vanishing point. The turkey, heath hen and passenger pigeon are totally gone. The ruffed grouse is fast going over the precipice, the pinnated grouse is heading for it, the bobwhite quail is almost done for, and the woodcock is now practically nothing but a memory. As birds for possible shooting, all the real shorebirds passed out long ago, and the jacksnipe is fast going. All the mourning doves that half the year adorn and benefit the north are fast being exterminated in the South and some other places, for "sport" and "food"—if you can imagine such a thing.

As for the mythical rail, gallinule, coot and curlew—who ever sees one? Who ever kills one? One and all, to the American people, they are almost as unseen and as mythical as the roc of Sinbad the Sailor. How many Americans out of each million could recognize any one of them at sight? Possibly 200, of our professional bird-men, could do so. Show me half a dozen sportsmen who ever saw a gallinule.

Thus far I think that the Southern States have done less actual exterminating than our heroes of the North; but they are getting into shape to show more results. The wild turkey of the South will be the first bird species to be exterminated there; then the woodcock; and snipe; and after them the quail.

The geese will be wiped out long before the last of the ducks are dead; but as things are going now the shotguns will get all of them. By 1940 only remnants of American waterfowl will remain. The brave and hardy

mallard will be the last species of waterfowl to disappear, and it will be taken over by preserve owners for their "breeding" and "restocking" operations.

### *The Case of the Mourning Dove.*

*Question:* WHY is the Mourning Dove shot as "game" in 28 states? Is it because the sportsmen of those states have exterminated nearly all the REAL game?

The elk, the deer, the moose and the antelope have been replaced by rabbits. The wild turkey, prairie chicken, grouse, quail, and woodcock have given way to doves. But they say that "Sportsmen have not hurt game!" "Sportsmen have saved the game"—so they say.

From the thrilling upland game birds down to the half-tame, unsuspicious, slow-flying dove is a great comedown for blue-blooded sports. We are not overly proud, but here is one man who never shot a dove for "sport," or for "food," and he would go sportless forever rather than accept such a humiliation.

There is not one particle of excuse for dove-killing by sportsmen, for "sport." If a hunter cannot shoot some real game instead of tea-party game, he should steadfastly refrain from shooting at all. What POSSIBLE sport is there in hunting game that has no sporting qualities?

And how foolish farmers are, to permit their doves and quails to be killed! Surely no farmer who can read is ignorant of the value of those birds as destroyers of bad insects, and consumers of the seeds of predatory weeds.

These are the states that in 1929-30 *prohibited* the killing of the Mourning Dove, and other doves:

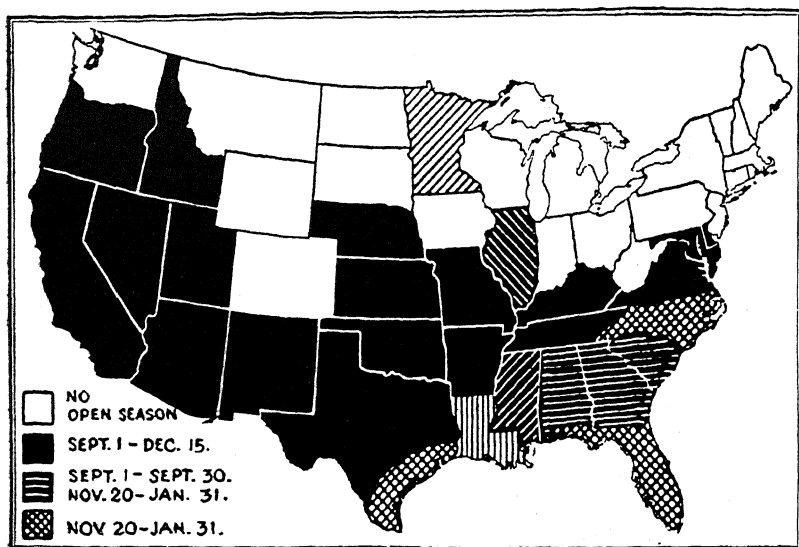
#### THE DOVE-PROTECTING STATES

|               |               |           |              |
|---------------|---------------|-----------|--------------|
| Maine         | Connecticut   | Ohio      | North Dakota |
| New Hampshire | New York      | Michigan  | South Dakota |
| Vermont       | New Jersey    | Indiana   | Wyoming      |
| Massachusetts | Pennsylvania  | Wisconsin | Montana      |
| Rhode Island  | West Virginia | Iowa      | Washington   |

In the 28 states that slaughter mourning doves, the federal open season varies from 2 to 3½ months; and the noble federal bag limit is 25 *birds per day!* Some states make the open season as low as 10 days, and the bag limit as low as 10 birds per day.

I am *sorry* for the mourning dove; and also the white-wing. Why do not the Audubon Societies, the Bird Clubs, and the professional bird conservationists *do something* to stop the slaughter of birds that clearly ought not to be slaughtered? What is the matter with the National Association of Audubon Societies, and the amalgamated New England Bird Clubs?

*How Dove "Education" is Done by the National Audubon Society.* For twenty years we have been hearing an awful lot of talk, and seeing clouds of pictures and flying leaves of print, in the great campaign of child education prosecuted by the Audubon Society. And how do they work it? Does the Society tell about killing conditions, and call for volunteers to combat them?



## STATES THAT KILL THE MOURNING DOVE AS A GAME BIRD

From *Nature Magazine*, by E. A. Preble.

Not on your life. It prints leaflets of pleasing academic talk about birds, usually it says nothing in its leaflets about ugly slaughter, and the need for quick protection, and it scatters pretty pictures by the hundred thousand. And here is an example drawn from the Society's model leaflet about "The Mourning Dove"—long killed in the South as a game bird. It is by T. Gilbert Pearson, President.

"My companion never shot birds (doves) on the wing—that was too difficult; so, on this occasion, he waited until they had alighted near the pond to drink from one of the little puddles where cows had stepped in the mud. I remember distinctly that he killed only one dove that evening.

"Most of the hunting for doves was done in the early fall, when they would come in great numbers to the peanut fields. It was an easy matter to creep along under cover of an old rail fence, get two or three birds in line, and blaze away. This was a common practice in those days, indulged in by thousands of persons in the South, without a thought of wrongdoing, until it was forbidden by recent wise laws.

"In parts of Georgia and South Carolina large "Dove-shoots" used to take place every autumn. With this sport in view some grain was left standing, or else certain fields were baited by scattering grain over the ground. After a few days the birds were to be seen gathering to the deceptive feast by thousands. Then the hunt was organized, and, on an appointed morning, many men and boys surrounded the field and began shooting. All day long the birds were flying in or out of the slaughter-pen, and frequently several thousands were killed before the sun went down. The number killed often far exceeded the local consumption, which meant that the surplus bodies were thrown away, or were left for the hogs to eat.

"There was some excuse for regarding these doves as game, and shooting them in moderation, as their flesh, although dark, is palatable, and a young dove, taken a few weeks after it begins to fly, and nicely cooked is a delicious morsel."

How charming—and excusable! Will northern papers please copy.

## CHAPTER V

### FLOWERS AND TOMBSTONES IN THE CONSERVATION GRAVEYARD

*"I knew him well, Horatio!"*

#### I—*Flowers*

In the present world-wide orgy of extravagance, in which a lot of ideals, honor, virtue, and taste are all being joyously sacrificed on the hollow altar of Pleasure, even the finest resources of Nature must be protected by strong-arm law to save them from being ruthlessly destroyed. No bird, beast, tree, flower, stream, lake, or river is safe without police protection. In the general sacrifice to materialism, wild life everywhere now is in hourly danger, and cannot be maintained without strong measures by strong men. This is true from India to the Barren Grounds of Canada, no matter which way you go; and there should be no mistake about the general menace.

Anyone who thinks that the wild life of America, Europe, Africa, or India has been "saved" is deceived. Today it is not necessary for anyone to write a book to prove its peril. The only real issue is, *What shall be done about it, if anything?*

Concerning game, the time for bird-lore "education" has lapsed. Bird lore has not by a long shot saved our birds! There must either be a new order of things, or the old order will pass away, and leave nothing behind but bitter memories and aching voids. The Brutal Truth must be told. Inasmuch as "the sportsmen" are not "saving the game," the people of the United States must now decide, once for all, whether they will "save" some of their feathered game and near-game by new men and new methods or let inexorable Fate sweep it away.

Fortunately for us all, Congress now has seriously taken hold to pilot some of the way, and help in the business of salvage. It is indeed time. And Congress is backing up its own sincerity with necessary appropriations, which at present certainly have the cordial approval of all the People! Ten years ago the things recently done by Congress would have been considered revolutionary and impossible. But money talks. Now, just consider these four big things in wild life conservation that Congress has resolutely put over:

#### GREAT RESCUE ENTERPRISES OF CONGRESS, 1924 TO 1930

|  |             |
|--|-------------|
| 1924—Dilg's Upper Mississippi Wild Life Refuge . . . . . | \$1,500,000 |
| 1928—Senator King's Bear River Marsh Game Refuge . . .   | 350,000     |
| 1929—The Norbeck-Andresen 125-Sanctuaries Program . . .  | 7,875,000   |
| 1930—The Cheyenne Bottoms Wild Life Refuge (Kansas)      | 250,000     |
|  | <hr/>       |
|  | \$9,975,000 |

Is it not wonderful? Does this look like "indifference" or "failure" on the part of Congress? Quite the contrary. . . .

## JACK MINER'S WISDOM AND EXAMPLE

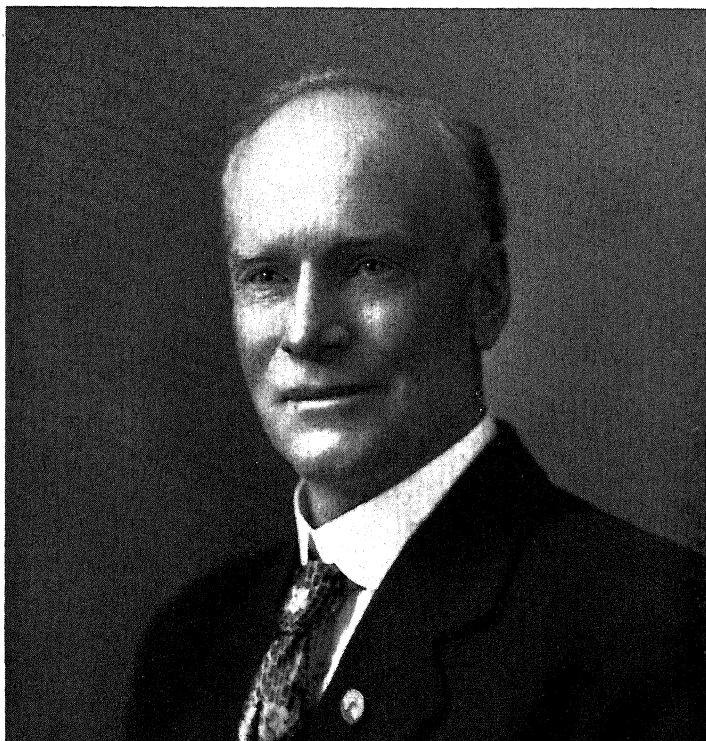
Near Kingsville, Ontario, which is about 14 miles from Detroit, lives the most wonderful bird protector in all America. His name is Jack Miner, his business is manufacturing drain tile, his wonderful wife and sons back him up in everything, and he is God's own apostle for preaching the Message of the Birds to the erring sons of men. Beginning in 1904, he has developed a perfectly wonderful halfway feeding resort for the migratory waterfowl of the eastern third of North America, and there uncountable *thousands* of geese and ducks come, every spring and fall, to halt, to rest and be fed as they fly northward to their nesting grounds. In the fall they stop on their way southward to the open waters of the southeastern United States, where they can find open water and a little winter food, at the cost of hundreds of thousands of dead geese and ducks at the muzzles of the guns, and around the blinds and sink-boxes of United States game-killers.

That bird-feeding game has for years and years cost Jack Miner just about every dollar that he has been able to make by toilsome lecturing, or squeeze out of his tile business, or beg from the friends of birds. Yes, the Canadian government *has* given him all the financial help that it *could*—notwithstanding “the war.” And a number of Americans (chiefly in Detroit) have given him a total of several thousand dollars. But the present status cannot much longer endure—so *we* think.

The trouble began with one pond in the home grounds of the home and factory, made by contributions of clay to the drain-tile cause. That original pond is shown in the attached picture; and it is the most famous three acres of water in all North America! Today, there are “South Ponds” and “North Ponds,” all swarming with waterfowl in their season, in daily numbers ranging from 500 to probably 10,000 birds. And 4 miles away, on Lake Erie, float the wild swan flocks that actually have been matriculated in that safety zone, in lieu of the dangers and tragedies of Niagara Falls.

At first the corn was distributed from a basket, a few bushels at a time. Now it takes a truck, and boats, to handle it; and the total cost for corn is *between* \$5,000 and \$6,000 a year! Look at the attached map showing the far-flung kills of Miner-fed and Miner-tagged ducks. The goose map before me shows that in the United States the Miner-fed geese are killed in Maryland, Virginia and North Carolina, with a few elsewhere to southern Illinois and southern Michigan. And what shall we say of the American sportsmen of the Atlantic Coast strip who when recently invited by Mr. Miner to “give something” to his duck-and-geese food fund yielded up only a total of \$70 contributed by just four (4) waterfowl hunters?

Mr. Jack Miner is strongly for (1) inviolate sanctuaries, (2) for a mile-wide strip of protection *around* each sanctuary, (3) for generous feeding, (4) for lower bag limits, (5) shorter open seasons, and the killing of surplus crows, owls, destructive hawks, and bluejays in the nesting season of song birds. He has *for years* been broadcasting these principles in lectures all over the northern United States and southern Canada.



JACK MINER

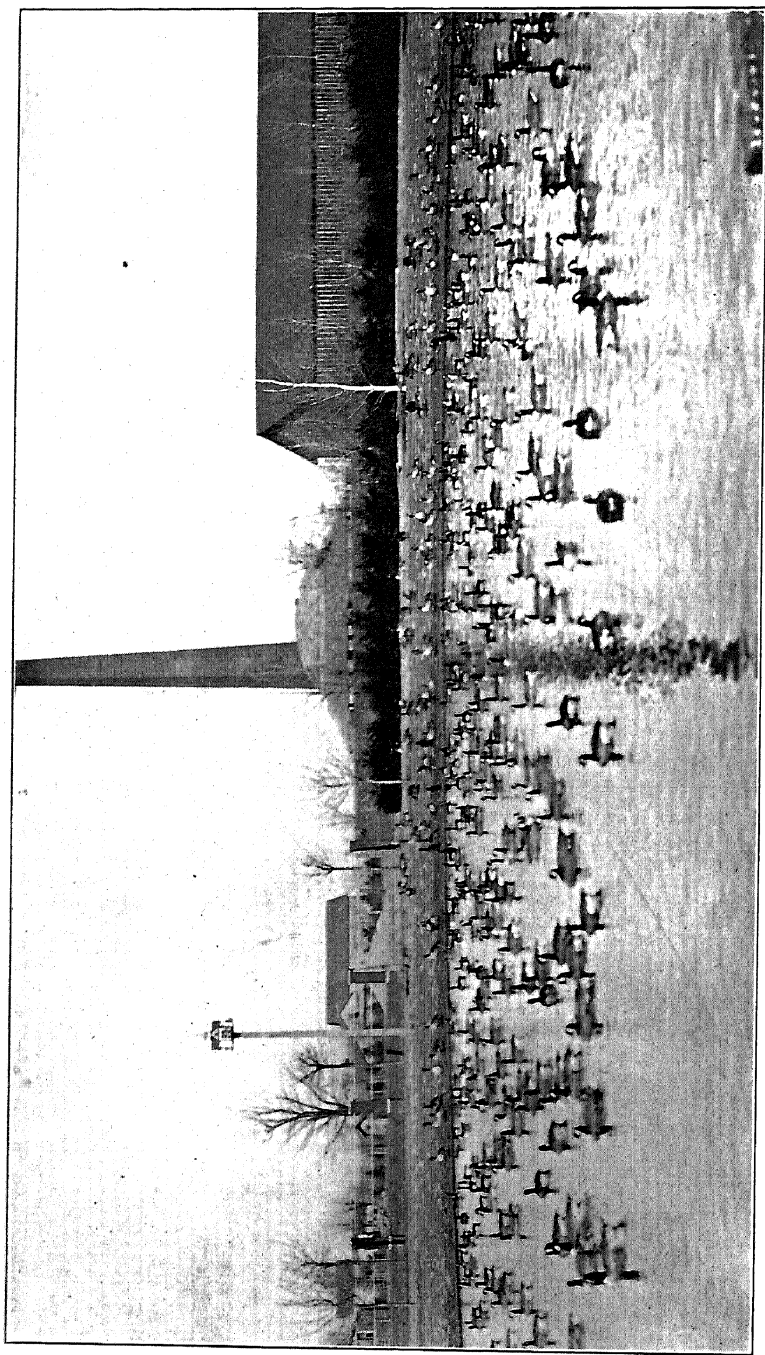
He has addressed printed appeals to our Congress, to the President of the United States, and the world has "heard him gladly." Being a reasonable sportsman, when the signs of the zodiac are right, he is *not* called a fanatic, or "Hindu-minded."

Mr. Miner has published two finely instructive, entertaining and inspiring bird books, which should be in a million homes and in every public and school library in North America. The first one was entitled "Jack Miner and the Birds," richly illustrated, handsomely made and sold by the Ryerson Press, Toronto, at \$2.50. The other is called "Jack Miner on Current Topics," at the same address and price, and both are strongly recommended.

## II—*Tombstones*

We have before us a comparative showing of "game saving" all over the United States. A few states stand out as bright spots on the map of game "protection." Some are in neutral tint but many are black. On one disability, all of them stand on the same footing. That is on the "No Open Season" feature, which gives the names of the various species of





JACK MINER'S FIRST WILD FOWL SANCTUARY

game now so sadly down and out that the sport of hunting them is today *either comatose or dead!* I am sure that the intelligent Reader knows what I mean; but if not, let him look in the annual "Farmer's Bulletin" pamphlet, "Game Laws of the Department of Agriculture," and see the 48 paragraphs labeled "No Open Season," and "Bag Limits," all for 1929-30. To begin with we will show the official Federal Bag Limit for 1929-30, from Farmer's Bulletin No. 1616 "Game Laws," Department of Agriculture.

#### FEDERAL BAG LIMITS ON MIGRATORY GAME, 1929-30

Ducks (except wood duck and eider ducks), 25 in the aggregate of all kinds, Geese, 8 in the aggregate of all kinds, Brant, 8, Rails and gallinules (except sora and coot), 25 in the aggregate of all kinds, but not more than 15 of any one species, Coots, 25, Sora rails, 25, Wilson's snipe, 20, Woodcock, 4, Mourning doves, 25.

#### SIXTEEN SAMPLES OF "NO OPEN SEASONS" FOR HUNTING, 1929-30.

##### ARIZONA:

Does, spotted fawns, elk, antelope, mountain sheep, bobwhite and Mearns's quail, grouse, pheasant, swans, bitterns, little brown and sandhill cranes, grebes, gulls, herons, loons, band-tailed pigeons, terns, rails, gallinules, and all shore birds except Wilson's snipe or jacksnipe.

##### ARKANSAS:

Does, fawns, wild-turkey hens, bears, prairie chickens, grouse, pheasants, swans, wood ducks, bitterns, sandhill and whooping cranes, grebes, gulls, herons, loons, terns, and all shore birds (except woodcock and Wilson's snipe or jacksnipe).

##### CALIFORNIA:

Quail, Hungarian partridges, ruffed grouse, pheasant hens, doves, swans, wood duck, eider ducks, auks, bitterns, fulmars, gannets, grebes, guillemots, gulls, herons, jaegers, loons, murrets, petrels, shearwaters, terns, and all shore birds except woodcock and Wilson's snipe or jacksnipe.

##### COLORADO:

Elk, antelope, mountain sheep, does, fawns, Abert's, black or tufted-eared squirrels, prairie chickens, mountain and willow grouse, sage chickens, quail, pheasants, doves, partridges, ptarmigan, wild turkeys, swans, wood duck, eider ducks, bitterns, little brown, sandhill, and whooping cranes, grebes, gulls, herons, jaegers, loons, band-tailed pigeons, terns, and all shore birds except Wilson's snipe or jacksnipe.

##### CONNECTICUT:

Quail, Hungarian partridges, ruffed grouse, pheasant hens, doves, swans, wood duck, eider ducks, auks, bitterns, fulmars, gannets, grebes, guillemots, gulls, herons, jaegers, loons, murrets, petrels, shearwaters, terns, and all shore birds except woodcock and Wilson's snipe or jacksnipe.

##### GEORGIA:

Does and fawns, fox squirrels, grouse, pheasants, turkey hens, introduced game birds, swans, wood duck, eider ducks, reedbirds, bitterns, sand-

hill and whooping cranes, gannets, grebes, gulls, herons, loons, petrels, shearwaters, terns, and all shore birds except woodcock and Wilson's snipe or jacksnipe.

#### IOWA:

Deer, introduced pheasants, Hungarian partridges, quail, prairie chickens, ruffed grouse or pheasants, wild turkeys, turtle doves, swans, wood duck, eider ducks, bitterns, little brown, sandhill and whooping cranes, grebes, gulls, herons, jaegers, loons, murre, terns, and all shore birds except woodcock and Wilson's snipe or jacksnipe.

#### MAINE:

Cow and calf moose, and, except as above, bull moose; caribou, Hungarian partridges, pheasants, black game, capercaillie, cock of the woods, doves, swans, wood duck, eider ducks, auks, bitterns, gannets, grebes, guillemots, gulls, herons, jaegers, loons, murre, petrels, puffins, shearwaters, terns, and all shore birds except woodcock and Wilson's snipe or jacksnipe.

#### MASSACHUSETTS:

Moose, doves, ruffed grouse, prairie chickens, Hungarian partridges, pheasant hens (English golden, Mongolian), heath hens, swans, wood duck, eider ducks, auks, bitterns, sandhill and whooping cranes, fulmars, gannets, guillemots, gulls, herons, jaegers, loons, murre, terns, and all shore birds except woodcock, and Wilson's snipe or jacksnipe.

#### MICHIGAN:

Elk, moose, caribou, doves, quail, squirrels (black or gray), Canada or spruce grouse, hen pheasants, Hungarian partridges, wild turkeys, swans, wood duck, eider ducks, auks, bitterns, sandhill and whooping cranes, gannets, grebes, gulls, herons, jaegers, loons, murre, terns, and all shore birds except woodcock, and Wilson's snipe or jacksnipe.

#### MINNESOTA:

Elk, moose, caribou, black squirrels, ruffed grouse, Canada spruce grouse, ring-necked pheasant hens, Hungarian gray partridges, wild turkeys, upland plover, woodcock, black-bellied and golden plovers, swans, wood duck, eider ducks, auks, bitterns, little brown, sandhill, and whooping cranes, grebes, gulls, herons, jaegers, loons, terns, and all shore birds except Wilson's snipe or jacksnipe.

#### MONTANA:

Mountain sheep, mountain goats, elk, does and fawns, moose, caribou, antelope, bison or buffalo, quail, introduced pheasants, Hungarian partridges, ptarmigan, wild turkeys, doves, swans, wood duck, bitterns, little brown, sandhill, and whooping cranes, grebes, gulls, herons, loons, band-tailed pigeons, terns, and all shore birds except Wilson's snipe or jacksnipe.

#### NEW HAMPSHIRE:

Elk, moose, caribou, doves, quail, pheasants, European partridges, gray squirrels, swans, wood duck, eider ducks, auks, bitterns, sandhill cranes, gannets, grebes, guillemots, gulls, herons, jaegers, loons, murre, petrels, puffins, shearwaters, terns, and all shore birds except woodcock and Wilson's snipe or jacksnipe.

## NEW YORK:

Elk, moose, caribou, antelope, fawns, fox squirrels, grouse partridges, Hungarian or European gray-legged partridges, doves, quail, swans, wood duck, eider ducks, auks, bitterns, sandhill and whooping cranes, fulmars, gannets, grebes, guillemots, gulls, herons, jaegers, loons, murre, petrels, puffins, shearwaters, terns, and all shore birds except woodcock and Wilson's snipe or jacksnipe.

## SOUTH DAKOTA:

Deer, elk, antelope, mountain sheep, quail, Hungarian partridges, doves, partridges, or ruffed grouse, prairie chickens or pinnated grouse, white-breasted or sharp-tailed grouse, sage grouse, introduced pheasants, upland plover, woodcock, swans, wood duck, eider ducks, bitterns, little brown, sandhill, and whooping cranes, grebes, gulls, herons, loons, shearwaters, terns, and all shore birds except Wilson's snipe or jacksnipe.

## UTAH:

Does, fawns, elk, antelope, mountain sheep, mountain goats, quail, any species of grouse or sage hens, Hungarian partridges, mourning doves, swans, wood duck, rail, bitterns, sandhill cranes, grebes, gulls, herons, loons, band-tailed pigeons, terns, and all shore birds except Wilson's snipe or jacksnipe.

A FEW SAMPLES OF BAG-LIMIT AND POSSESSION LAWS,  
TO JANUARY 31, 1930

## CALIFORNIA:

Two deer a season; 15 cottontail or brush rabbits a day, 30 a week; 4 grouse a day, 8 a week; 10 mountain quail a day, 20 a week; 15 valley or desert quail a day, 30 a week; 20 Wilson's snipe or jacksnipe a day, 50 a week; 15 mourning doves a day, 30 a week; 25 ducks a day, 50 a week; 8 geese a day, 24 a week; 8 brant a day, 24 a week; 25 coots (mud hens), but not more than 15 gallinules a day, and 50 mud hens a week.

Possession in excess of daily limit prohibited. Persons killing deer must retain in possession during open season and 10 days thereafter the skin and the portion of head bearing horns. One day's limit of game birds or animals may be possessed during first 5 days of close season.

## MISSOURI:

One turkey a season; 10 squirrels, 10 quail, 10 doves, 15 ducks, 8 geese, 8 brant, 4 woodcock, 15 Wilson's snipe a day; 15 rails, 15 coots, 15 gallinules, but not more than 25 in all a day or in possession; or 1 turkey, 15 quail, 15 doves, 25 of any other species of birds permitted during first 10 days of close season, other game during first 5 days thereof.

State hunting license required to possess game.

## IOWA:

Fifteen squirrels a day or in possession; 15 ducks, 8 geese, 8 brant, a day, 21 waterfowl in possession; 15 Wilson's snipe, 4 woodcock, 15 each of rails, coots, and gallinules a day; 15 of each species in possession. Possession permitted during first 10 days of close season.

## MARYLAND:

One deer a season; 1 wild turkey a day, 4 a season; 2 in all of English or Mongolian pheasants and ruffed grouse a day, 6 a season; 6 rabbits or hares, 10 squirrels, 10 quail (partridges), 4 woodcock, 25 doves, 20 jack-snipe, 25 coots, 25 in all of rails and gallinules, but not more than 15 of any one species of rails (other than sora) and gallinules, 25 ducks, 8 geese, 8 brant a day. Possession of waterfowl permitted during first 10 days of close season.



THE LEGITIMATE BAG LIMIT (4) ON GEESSE

Can any hunter carry more? Why add "8 Brant"? Photo by Otto M. Jones.

The states that are doing their whole duty in the salvage of gun-fodder species of game certainly are not numerous.

I object to the wide dissemination of the false slogan that "the sportsmen have done everything that has been done so far for the saving of

game," and of the other that "the sportsmen have saved the game." I protest because Mr. H. P. Sheldon said in addresses and a press bulletin that *"the destruction of game that went on throughout the century just passed has been solidly checked, and that most species, particularly the migratory birds, are actually increasing."* And he also said: "I sincerely believe that we are well forward in a new advance, which will be marked by a constant increase in the numbers of our valuable species of fish, birds and animals."

That rose-colored pronouncement of the U. S. Game Warden in 1926, officially broadcast by the Department of Agriculture, was to the cause of game salvage a misleading and damaging document. It was issued when the slaughter of feathered game in the United States was at the highest point it ever has reached! Considered along with the scarcity of game, the awful 48 armies of hunters, and the appalling perils of game from modern killing appliances, *it just shows the spirit of the Biological Survey in 1926!*

The U. S. Game Warden's paen of victory for game-saving sportsmen (!) is now cited as a horrible example of the optimistic game-killing propaganda that has been put forth against the game and its defenders during the past 30 years. I invite every American who is a friend of persecuted wild life to inspect the lists of "No-Open-Season" game species, and then consider this exhibit of the intensified and concentrated perils of game as they stand at this very hour, and as they are likely to stand, indefinitely!

#### THE ENORMOUSLY INTENSIFIED PERILS OF GAME

Breech-loading repeating shotguns, 300 per cent. more deadly than 30 years ago.

Quadruple increase in hunters, 400 per cent. more deadly than 30 years ago.

More money for hunting expenses, 500 per cent. increase over 30 years ago.

Hunting automobiles in place of horses, 400 per cent. more deadly than 30 years ago.

The additional advantages in choke-bores, smokeless powder, live decoys and hunting clubs we estimate at an additional 200 per cent. of deadliness.

Now, just visualize this enormous increase in guns, hunters, and other perils of game today, *savagely operating against about ONE-TWENTIETH of the number of game birds and beasts that were here in 1900!* Figure out the total decrease in *chances per head* for survival, and breeding and rearing. Is it not a colossal wonder that the 48 armies of sportsmen do not in one year exterminate all United States game except the swift-flying ducks?

In the face of all this, with the deadly bag limit and open seasons of 1926, *why* did the United States Biological Survey hold the astounding

optimistic views that U. S. Game Warden Sheldon so cheerfully promulgated in that year?

The only thing wrong about the above estimates of perils is that they are all *entirely* too low! Even in 1911 there were only 1,547,595 licensed hunters, but in 1928 there were 6,413,545, an increase of about 300 per cent. in 17 years (18 per cent. per year), not counting about 1,500,000 farmers hunting on their own lands without licenses of any kind.

In order to understand the apathetic state of feeling toward "bird protection" in 1894, and down to 1900, glance for one moment at this droll picture from the past:

*The American Ornithologist's Union.* Up to 1897, it seemed that the large zoological museums, the colleges and universities, and all zoological organizations save the A. O. U. had not yet awakened to the fact that great and valuable faunas were disappearing, with perfectly incredible swiftness. The A. O. U. had drafted a model law for the protection of song birds, and it had a Committee on Bird Protection; but when in 1900 we went backwards through the last six volumes of "The Auk" (the A. O. U. official organ), looking for records of protection activities, we found only this curious statement, in the issue for January, 1894 (p. 87):

"The A. O. U. Committee on Bird Protection made, through its Chairman, Mr. George B. Sennett, its usual report at the Eleventh Congress, and asked to be discharged, the need for such a Committee being considered no longer urgent, of late its function having been mainly advisory and its services not often required. As most of the States have now enacted excellent statutes for the protection of birds, modelled to a large extent upon suggestions advanced by the Committee, little more than their proper enforcement is now necessary. In recognition of its important services to the cause it was designed to aid, during a continuous service of ten years, the Union acceded to its request, accompanying its discharge with a vote of thanks."

Observe that the queer action recorded above, the need for services "being considered no longer urgent," was taken in January, 1894, by the largest and most important body of organized ornithologists in the Western Hemisphere. The statement that "most of the states have now enacted excellent statutes for the protection of birds, modelled to a large extent upon suggestions advanced by the Committee," was much too broad to fit the facts. Up to 1894, Dr. T. S. Palmer's "Chronology and Index" names only three states as having up to that time adopted the A. O. U. bird law. They were New York, Pennsylvania, and Indiana. And that seems to have been *all up to the end of the 19th century!*

#### ORGANIZATION HANDICAPS UPON OUR GAME

*One of the greatest handicaps now resting upon the shattered remnants of our killable game is the vigorous defense of game-killing privileges, that ever since 1923 has been made by the following organizations:*

The American Game Protective Association,  
The National Association of Audubon Societies,  
The American Wild Fowlers,  
The U. S. Biological Survey,

The Camp-Fire Club of America,  
The State Leagues of Sportsmen in New York and Mass., and  
Field and Stream Magazine.

For six years all the above steadily opposed our demands for 50 per cent. less killing of gunfodder game, until the powerful federal opposition to the reduction of wildfowl bag limits blew up on December 29, 1929. It is our expectation that Congress will see all of the above elements lined up in 1931 against our demand for open-season reductions on waterfowl, from 14 weeks to 8 weeks.

Yes, we have taken due note of the success in raising quail (to be shot or to breed) that has been achieved on the state game farms of New Jersey, Maryland, and Missouri, and that we hope presently will be achieved in wide-awake Oklahoma. We are pleased by all that. Counting the first three states, and their accomplished facts, the results stand thus:

|  |
|--|
| Missouri raised in 1928, 9,500 quail for 255,602 sportsmen |
| Virginia " " " , 4,069 " " 144,215 "                       |
| Maryland " " " , 500 " " 68,566 "                          |

We repeat that in 13 states out of 34 all bobwhite quail hunting has been stopped; that in 6 states out of 11 sage grouse shooting has been stopped; and in 19 states out of 24 ruffed grouse hunting is dead.

The shortcomings of our 48 states make a story too long for this volume. In 1912, it took four chapters in our "Vanishing Wild Life Book" to point them out. A great lot of better laws have been enacted by the state legislatures since that savage book was broadcast by the Zoological Society (at an expense of \$10,000); but we grieve to say that the steady increases in guns, gunners, cartridges and automobiles seem to have absolutely wiped out all the gains that were made through those better laws, except in ducks at a few winter concentration resorts. The last state of the gunfodder game is much worse than the first, but the protected shore birds are just about holding their own. The wood duck is increasing, and, thanks to gallant Jack Miner, so are whistling swans in the eastern United States.

If the American men-at-large, and the organized American women-at-large, are going to permit the final catastrophe, wherein all of our best species of feathered game and small game will be wiped out, then they shall do it with their eyes open, and WARNED of what they do. So far as lies in our power to warn them, they shall not at the finish be able to say,

"I didn't know it was loaded!"

As an immediate reform, of special urgency, we demand a federal reduction of the open seasons of ducks and geese from fourteen weeks to eight weeks.



## CHAPTER VI

### FAILURES IN BREEDING AND IMPORTING GAME BIRDS

*Little Doing in "Restoration," Save with Half-tame Alien Pheasants and Hungarian Partridges.*

In pursuing this hopeless subject, which we will do as long as any game remains alive, I warn the American people that neither "education" nor academic talk will save or restore our vanished native game. In practical game methods, many things are impossible.

For months past our outing magazines and newspapers have been flooded with talk about new methods to breed, restock, and "investigate" game, but practically all of it has carefully avoided giving any aid or countenance to methods for saving gunfodder game at the muzzles of the shotguns! There are many hunters who just burn with desire to "increase" game, so long as the methods employed do not touch the sacred repeating shotgun, nor the 800,000,000 cartridges each year provided to entertain the game. Beware of cheap talk! After thirty years of intensive work, and at times hard fighting for a square deal to game, I am convinced that all the breeding and "educational work" done thus far has not "saved" the game, that no easy-going "education" ever will save it, and that nothing but a combination of drastic laws and big-stick enforcement (plus other salvage measures), ever will achieve good or great results.

Anyone who thinks that mere "educational" methods, such as those pursued by organizations to protect sportsmen, ever will save 200,000 game birds a year, makes, in my estimation, a fatal mistake. You have noticed that the grand armies of licensed hunters have for 17 years been increasing at the rate of about 18 per cent. per year, and that only a very small percentage of hunters recognize any checks upon killing other than those of statute law. It is the Big Stick that really "saves" game, whenever any of it is saved.

Let us now call up, as a material witness for our side, a man who during the past seven years has always been found opposed to our views, and seeking to undermine our place in the sun. Surely his own people, all opposed to us, will believe *him*! In our Plain Truth, No. 1 (Dec. 1, 1928) we published the following note on the pamphlet by Dr. John C. Phillips, entitled "Wild Birds Introduced or Transplanted in North America" (U. S. Department of Agriculture, April, 1928):

In view of all the loud talk about "propagating" game, and restocking the Barren Grounds of the United States, Congress now needs to have the latest and best information obtainable.

Dr. John C. Phillips, of the American Wild Fowlers, has cut a lot of ground from under the feet of his deadly-optimistic friends in the very discouraging business of protecting and restocking game in the United States. His well written and very useful pamphlet on "Wild Birds Introduced and Transplanted in North America" is, for our native species,

chiefly a record of costly failures and total losses. And there is no use in mincing words about it. Among our native game birds, the successful operations in restocking shot-out areas have been so few and so slight as to be really negligible. Of foreign game birds, there are just two species with which the game-killers have had success in "introductions"—the alien ring-necked pheasant and the Hungarian partridge.

It is a drab and utterly hopeless story that Dr. Phillips has written about our decimated American game birds. Since 1890 hundreds of thousands of dollars have been expended by the people of about 40 states, in buying and forcibly transplanting quail from Kansas, Oklahoma, Texas, Mexico, and North Carolina, far and wide throughout the United States, and even in three of the provinces of Canada. Much of this has been done unwisely. The latest and shrewdest (?) wrinkle is the present system in half a dozen states of "planting" Mexican quail in the spring, and joyously shooting up the survivors in the fall! Naively the shooters say: "Well, they had one nesting season!" It reminds one of the Cree Indians who dug up and consumed the gift seed potatoes that they had planted the previous week.

A large volume could be written about the failures and the losses that have been made in attempts to breed and restock the places in which bobwhite quail have been exterminated by our great sportsmen "protectors" of game—without saying a word about the greed and folly of the exterminators. But what Dr. Phillips says is quite sufficient. It looks as if there is one state in which restocking has, at least for the moment, accomplished something; and that is southern Pennsylvania. Nearly all other efforts, out of the hundreds that have been attempted, are to be set down as failures.

The utter impossibility of breeding and rearing grouse of any kind in captivity, and restocking any barren ground with native grouse by artificial means, is too well known to require anything more than lamentable mention. Where grouse have not reached too low a point, man can, by long close seasons and the persistent killing of "vermin," do at least something for their preservation and increase, so that, in some particularly favorable locations, with long and diligent protection from all kinds of living enemies the birds can slowly struggle back. But such protection *rarely* is given for more than a short period. As soon as a slight increase is noted, the "sportsmen" clamor for a "short open season"; and they get it!

And now this is the new cry of the hard-boiled ruffed-grouse killers, and the eaters of sick grouse:

"The ruffed-grouse population comes and goes, in cycles. When they become scarce, we know that it is the Cycle that has killed them; and we know that they will come back. There is no need to stop grouse shooting, even for one year. Go right ahead and kill all you can, up to the legal limit. The grouse will come back, all right." (And so forth, and so on.)

In 13 of the 33 original bobwhite quail states, quail hunting is now a dead sport, because of the absence of birds. Some determined efforts are being made to determine how 7,000,000 hunters can continue progressive quail extermination and, at the same time, by shrewd manipulations in-

crease the quail supply. In the south, \$60,000 worth of investigations on quail have been going on during the last five years, to find why quail in private preserves "die," and how, by taking thought, more quail can be produced—for quail hunters to kill! It is frankly admitted that the end sought is to make more quail shooting.

This "investigation" charm is nearly wound up. The methods employed have been scientific, diligent, and as to methods perfectly satisfactory. It is like trying to find a cure for poverty in a nation of persistent spendthrifts. The war on "vermin," diligent feeding, and the building or growing of good shelters are all right, everywhere, and they ought to yield more quail. But we must not forget for a moment that just now we are not seeking hot-house quail production in "preserves" for the entertainment of 7,000,000 quail-hungry sportsmen: At present no state-wide game supply can be worked out on that basis. It can be done in England, Germany or Austria, where every game bird, hare and deer *belongs to somebody*, is *protected by hired men*, and is to be shot *only under strict regulations as to date, number and sex*, with not one bit of anything whatever that looks like our beloved "free hunting." No, indeed! *If you want European results, you have got to reproduce European conditions.* Who is so dumb as not to know that?

At this point the temptation to quote an editorial quail observation from the New York Times is too much to resist. It is a comment upon current proceedings in a meeting of the perfectly serious National Game Conference, wherein for years it has been solemnly assented that quail coveys on farms need to be "shot up" and scattered, *to promote breeding and increase* and to forestall "disease from inbreeding."

### *Beneficial if not Enjoyable*

"If quail have a sense of humor, and can exercise it under great difficulty, those of them to whose notice come several speeches made here this week at the meeting of the American Game Protective Association must be laughing a lot. These speakers had been much disturbed by a proposal that quail should be put in the category of song birds, for which there is no open season. To head that off they promptly and vehemently protested that a moderate amount of shooting was really beneficial. It made the birds hardy, and by scattering the coveys prevented inbreeding.

"Other advantages were mentioned, but the number was smaller than it would have been if more time had been allowed for thought and the use of ingenuity. Obviously, it is fine mental and physical training for a quail to be shot at with reasonable frequency. He learns to be alert on the foot and the wing, to be a keen observer of man's ways, purposes and accoutrements; and really he must be happier in the utilization of new or increased abilities than he would be if allowed to live in slothful ease and dull security. The Kentucky mountaineers have profited in the same way from their feuds, and if occasionally their shooting at one another changes from moderate to excessive, that is only too much of a good thing, and soon cures itself.

"Of course, it would be bad for quail to be constantly under fire. They would come to suffer from what is called shell shock—nerve strain carried to the point of nerve exhaustion."

I have already pointed out that in 19 of the 24 states formerly enjoying "good hunting" of ruffed grouse, all ruffed-grouse hunting has been stopped, because of the absence of birds. This condition has been approaching for ten years or more, but the 19 states have tried to dodge the

issue. They have charged the decrease in birds to "vermin," "disease," "dogs" and "bad nesting seasons." Thousands of dollars have been spent, and also years of time, in investigations and experiments to enable sportsmen to eat their cake and have it too! but thus far in vain. And now the State of New York proposes to spend "\$10,000 a year for a period of five years, in further investigations." After a two years' lay-off (by Commission regulation) from killing and eating sick grouse in New York, in 1930, the New York legislature wisely passed a bill to continue the close season for another year, but because of the advice and demands of the organized sportsmen of the state, Gov. Roosevelt vetoed it!

It is a satisfaction to report that one state, Pennsylvania, which has spent many thousands of dollars in importing quail and wild turkeys to restock her barren grounds—has really succeeded in her southern territory in replanting both those species. Her State Game Commission has recently reported having fed last winter, "by actual count," 83,096 bobwhite quail, 4,814 wild turkeys, and 8,076 ruffed grouse, besides much other game. This comeback is due to drastically regulated killing privileges, large funds, amazing sense, and great diligence. It seems to us that the palm for horse sense and success in game salvage must be awarded to Pennsylvania. But then, that state never has promoted any "investigations" at the expense of her game!

The official Missouri Game News mentions three quail-hunting miscreants who boast of having killed 1,000 quail in the winter of 1929-30, and inasmuch as the replacement value of those birds was \$3 each, those 3 killers secured \$3,000 worth of dead quail at a total cost (for three state licenses) of only \$7.50!

But the success of restocking with Mexican quail in southern Pennsylvania seems to be an isolated case. As many persons know, good success in many states has been attained in plantings of alien ring-necked pheasants, and now there is a lot of pheasant hunting under a bag limit of 2 birds per day, or 6 in a season. In some cold regions the Hungarian partridge also is taking hold. All this, however, is limited in scope for the total area to be covered, and it is like drops of water to a thirsty man.

Throughout ten long years of unrequited toil and continuous disappointments, Professor A. A. Allen, of Cornell University, has thoroughly proven the utter futility of attempts to rear our ruffed grouse in captivity on a workable basis. He says: "More than once I have been tempted to burn up all my records and try to forget the wasted time." But the work of this determined scientist has not been in vain. It has proved conclusively the utter impossibility of saving our beautiful and desirable ruffed grouse species by breeding in any kind of captivity. And now, alas! we must cite another ruffed grouse barrier. That species is subject to nearly a dozen diseases and evil parasites; and every person of intelligence knows full well the impossibility of doctoring or dieting a shy and explosive wild bird like *Bonasa umbellus*.

The game owners and game-keepers of England, Scotland, Germany and Austria have not saved their game and their sport for 300 years by investigations, restocking, doctoring or breeding game in coops and pens.

YEARLY  
PROPORTIONS

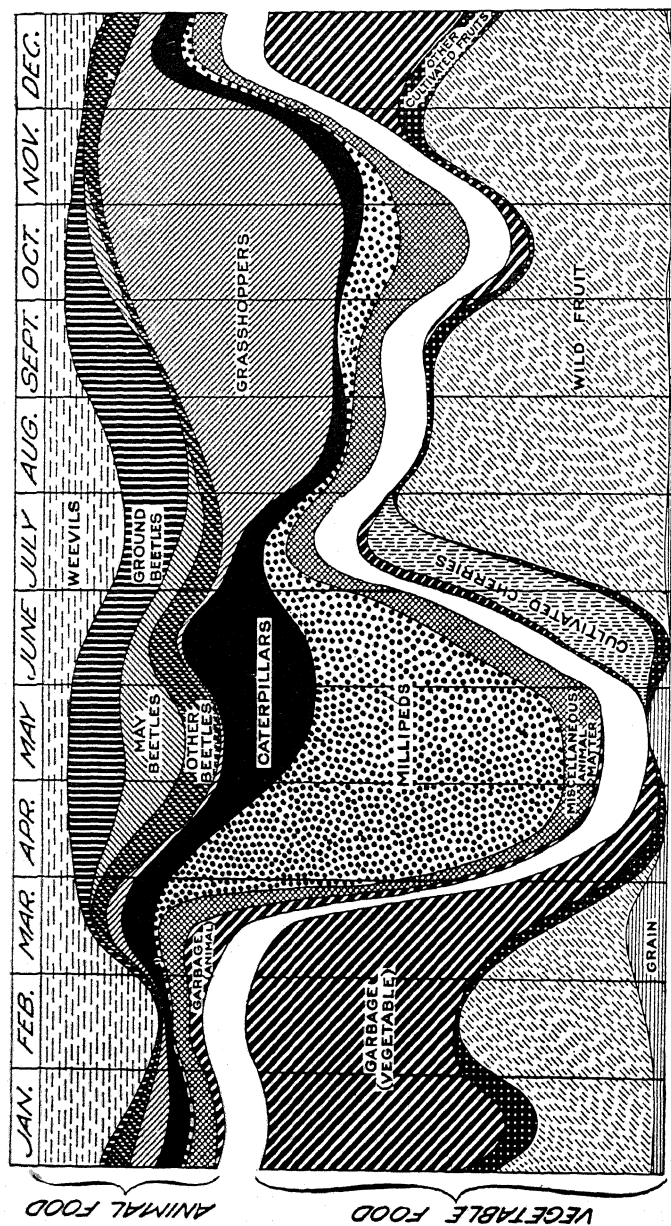


CHART OF FOOD OF ADULT STARLINGS MONTH TO MONTH

Showing the varying proportions of the principal items from month to month, and the relative yearly proportions of each. Some of the monthly percentages of the total food of adult Starlings are as follows: weevils 8.50; ground beetles 5.71; May beetles 2.24; other beetles 3.14; grasshoppers 12.41; caterpillars 6.04; miscellaneous animals, especially other insects 5.93; cultivated cherries 2.66; other cultivated fruits 1.75; other fruit 23.86; grain 1.16.

Report of E. R. Kalbach on the European Starling in the United States. U. S. Department of Agriculture Bulletin 1571. December, 1928.

They have provided shelter, food, water and protection from enemies. But, greater than any or all of those has been the protection afforded by savage regulations *against exterminatory slaughter with guns!* Verbum sap.

According to Mr. Horace Lytle, there is much talk in Ohio about the way quail have "not increased" under the perpetual protection that the Ohio Legislature gave those birds in 1915. Nature Magazine for July, 1930, contains some very pertinent information about the status of Ohio quail at this time. It says:

"Out of 18 parties making observations at Christmas time (1929) only three failed to see bobwhites. One man observed one hundred and thirty-five birds during his day's walk about Indian Lake. Altogether fifty-two persons participated in these censuses, and they saw an average of twelve bobwhites each. . . . In Indiana six parties, aggregating seventeen persons, saw fifty-seven bobwhites, an average of three each. In Pennsylvania, sixteen parties aggregating fifty-six observers . . . were able to find only one hundred and five bobwhites, an average of about two birds each. . . . The game commission need not import birds from Mexico annually to restock covers depleted from over-shooting . . . for the actual numbers of birds observed show that they are at least ten times as abundant as they were in the days of shooting."

Concerning the status of the protected quail of Ohio, and the influence of disgruntled sportsmen upon them, a pamphlet published in October, 1930, by the Emergency Conservation Committee (Davis Quinn, Secretary) contains the following declarations:

"It could be shown that when Dr. Pearson was asked to aid in getting quail put on the songbird list in Pennsylvania, he replied that putting them on the songbird list would make them extinct as the passenger pigeon and they should be left to the protection of the sportsmen. (Bird Lore, May-June, 1921.) In answer to which, let us cite the experience of Ohio, where quail were classified as songbirds fifteen years ago, after the sportsmen had 'protected' them nearly to extinction.

"Quail reported in Christmas bird census, 1915, by fourteen Ohio observers—0, 0, 0, 0, 0, 14, 0, 0, 0, 0, 0, 0. Total 14.

"Quail reported in Christmas bird census, 1929, by seventeen Ohio observers—37, 18, 38, 45, 62, 106, 50, 26, 0, 22, 135, 67, 0, 10, 23, 26, 17. Total 682."

### *The Rooting Out of Native Game Birds for Alien Species.*

We complain because our land game birds *never yet have had a square deal.*

For thirty-three years we have denounced their progressive extinction.

We deplore the systematic and costly efforts that some states are making to introduce alien species to take the places of our grouse species, quail, turkey, woodcock and snipe, while these native species are on the edge of oblivion.

At this very moment, a gigantic effort is on foot to raise \$10,000,000 for the purpose (1) of "breeding game," and (2) educating farmers into breeding and rearing "More Game" for sportsmen to kill.

Just how many, or what percentage, of American farmers can be persuaded into "rearing" English pheasants for free shooting by trespassers who hold farmers in contempt, we cannot guess; but we have a distinct idea that the total will be small. On this point I cite a tidy little pamphlet entitled "A Farm Woman Speaks," by Mrs. Grace McCormack French, of Carleton, Oregon. It is very illuminating!

On the subject of alien game birds in the United States, a whole lot of returns are now in. They point conclusively to these facts:

1. *Only two alien game birds have been found successful for introduction to "free hunting" here!*

2. The English and Chinese pheasants can survive in a half-wild state in some parts of the farming regions of twenty-two states, but have failed in sixteen others; and in the arid regions and the big forests they are impossible.

3. The Hungarian partridge is a cold-climate bird, it cannot be bred on farms like the pheasants, and there are very few states in which it has really taken hold.

Now, how is this limited stake as a trade for our native game birds that can live all over the United States if they are not shot to pieces every year by the hordes of hunters?

We object to such a trade, on the ground that it is a bad bargain for our home folks. We are not at all enamoured of "sport" on half-tame birds.

*TRUE STATUS OF THE INTRODUCED EUROPEAN STARLING.* Ever since this bird was first brought to the United States, in 1890, right down to December, 1928, the Starling has been a victim of mass ignorance. Due to faulty or inadequate observations, and erroneous deductions, many persons (including some bird men?) early in the day denounced that cheerful immigrant as "quarrelsome," a driver-out of other birds, a fruit-eating "pest," "no good" on insects, and altogether a bird to be either shunned or shot. The most of the eastern states joyously withheld protection from the starling, which left him to be the lawful prey of the sportsman and the small boy with a .22 rifle.

From the beginning, we watched the habits of the starling with keen interest, and an open mind. The cussedness that we had been taught to expect in him somehow failed to materialize. We saw that he was not a quarrelsome little bully, like the English sparrow, but most diligently dug insects out of our lawn whence all but him had fled, and gone South. We liked his cheery whistle, and his confidence in our integrity. We not only flatly refused to denounce him, but we stuck up for him before his traducers. In 1928, when a starling complained to us about unjust treatment, we volunteered to serve him as assistant counsel for the defendant, (Vide "Wild Animal Interviews" as in the newspapers).

In 1928 the U. S. Biological Survey brought to an end a long and searching investigation, in which the starling was triumphantly vindicated on all counts filed against him. In that investigation, and the report of it in Farmer's Bulletin No. 1571, by Mr. E. R. Kahmback, the investigators and the Survey scored a palpable hit, and I am glad to hand them this

compliment. The "Chart of food of adult starlings" was, and is, a stunning revelation!

It shows that as an eater of devilish insects, the starling has few equals and no superiors. It shows that to the home-owner in city, town, or country, to the farmer, the fruit-grower, and the forester, the starling is a tremendously hardworking and valuable ally. It shows that the few cherries and berries that starlings consume in their short ripe season do not amount to shucks in comparison with the value of the services rendered by the bird throughout the year. The monthly averages of cherries consumed during a year is 2.66 of the total food of the bird, while the monthly proportion of insect food is 55.68 per cent. of the whole food supply! The list of bad species of insects consumed is most creditable to the bird.

For some time, it has been known that the starling is perhaps the greatest bird enemy of the accursed Japanese beetle, that develops in the ground in winter, and in spring emerges as the perfect insect. Do you wonder that we still welcome the flocks of starlings to our lawn? To watch their industry in combing out the insects is fascinating. The purple grackles are mighty good on that same job, but the mass attacks of the starling flocks just take the prize.

Last summer my good friend Dr. Robert H. Morris, of East Haddonfield, N. J., found in one square yard of his lawn 21 round holes that had been made by a flock of starlings that was watched at work, assuredly while searching for insects that were coming out of the ground seeking what they might devour. I just wonder if they were after Japanese beetles.

The man who kills a starling thereby makes a mistake and commits an infraction of Justice against organized labor. The shooting of starlings should be stopped, at once, and everywhere. If they congregate too thickly, or eat an unfair number of cherries or grapes, scare them away by firing *blank* cartridges. If they nest by ways and means that create a nuisance, destroy their nests, and they will soon go elsewhere.

So long as man inhabits the earth there will be millions and billions of insects to harass him and destroy his substance. See to it that every state east of the Mississippi at once enacts a law to protect the starling as other insectivorous birds are protected. And the official shooting of starlings as "pests" (as even now is done in New York State) should at once be turned into protection.



## CHAPTER VII

### SANCTUARIES, VERMIN, "INVESTIGATIONS" AND THE "CENSUS"

#### *The True Inwardness of the "Game Refuge"*

When United States people with no axes to grind do not even care to talk about wild life protection, it means that public interest has reached rock bottom, and can go no lower. We are not yet at that depth, but we are now coming to it. If it were not for the amazing new impulse in both houses of Congress we would quit, and go fishing.

Now that there is a fair prospect that bag limits on waterfowl are due for a permanent jolt downward, we are afraid that all United States sportsmen are going to balk, and kick over the traces, about any insistence on shorter open seasons to match. The answers we are getting talk about "sanctuaries," "game refuges," "vermin destruction," "game feeding," and "game breeding," *only!*

The making of a "game refuge" or "sanctuary," by state or national machinery, is a long task. From start to finish, count upon *five years* to glide by. Even our enemies admit this. And now ask yourself what can happen to the remnants of game with 7,500,000 hunters going out after them, annually? Who is there who will guarantee a remainder five years hence? Think it over. Meanwhile, we demand some quick and sure results in gamesaving, through less killing of the breeding stock. Between bag-limit and open season reductions we wish to see the annual killing of game reduced 50 per cent. In 1923, we said, "More game wanted? Stop half the killing." We repeat it now. There are just two little things with which any one able to furnish them can make a wildfowl refuge in any sand or lava desert on earth. They are—fresh water, and food that ducks will eat. Make a permanent pool as big as a tennis court, put duck food into it, anywhere in the Sonoran Desert, or the Colorado Desert, or even Death Valley, and presto! the ducks will soon find it and flock there. All dwellers in the prairies and arid regions should remember this.

Jack Miner and his wonderful family made out of a little clay-supply basin beside their tile factory the most populous and most famous goose resort in North America—and the greatest object lesson, also, in the Value of a Real Sanctuary.

But let us be honest about all this game sanctuary business, and place all our cards upon the table. For seven years the proponents of the old "game refuge bill" cited the example of Pennsylvania as evidence of possibilities in support of a bill that was wholly intended to promote *wildfowl* "refuges." And the evidence did not apply, any whatever. Pennsylvania's "game refuges" were all in upland or mountain *forests*—for deer, turkeys

and grouse. Pennsylvania has not, *and never has had*, even *one* man-made duck or goose "refuge" or sanctuary!

The making of a successful bird or "game" sanctuary of any kind is a serious matter. It is not a fact that "any old place will do." Thought is just as necessary as money. And Time is just as inexorable as the possibilities in food and water. A few men need to be educated and trained into sanctuary making and maintenance, and when new work is to be done, they should be sent for, and properly paid for their expert knowledge and help. They should be on the same professional footing as landscape architects. All hail the rise of the Sanctuarist! And he cannot report for duty one day too soon for the needs of the hour.

Were there time I could write pages on the conditions and the inexorable requirements of a successful duck or goose sanctuary; the natural water and food supply, the artificial water and food possibilities; the winter shelter, and the *real* animal and bird pests to be kept down; but this volume is not a treatise on game-raising. A good and useful volume is called for on "The Development of Wild Life Sanctuaries," to which I hope some competent hand will devote at least one-quarter of the effort that I have expended upon the making of this volume.

Just at present it is said that there are sportsmen who so savagely resent long close seasons on their favorite game victims that they refuse to "take any interest" in saving and sheltering and feeding quail and grouse *that they are not* permitted to shoot up every year! How far will that spirit go in preserving "free hunting" in America?

### *The Hue and Cry About "Vermin."*

In a very few words I can say all that I care to say on this subject. It is a long way from being new to me, or mysterious. Take it in conjunction with the stockman's Biological-Survey war on predatory animals (backed by a huge annual budget) and we have crops of controversies.

Many times it seems to me that some very good men who are coldly judicial about refusing to reduce the killing privileges of sportsmen are mighty rabid and fierce on the subject of game-destroying birds and quadrupeds. I think that fully one-third of all the talk we hear and read about vermin is inspired by a desire to put the blame for game disappearance on somebody else than the 7,500,000 guns. How does it look to you? And some gentlemen have at times waxed very wrathful at me because *I* do not kill off the vermin, and *I* do not "enforce the laws," and *I* do not "provide food for game."

In the first place, there is no *long* list of "pest" birds, nor of "pest" mammals which are so destructive that they deserve to be hunted down by "side" hunting, and exterminated. The names of all the absolutely-guilty species can be written on one half of a postal card. Some of the species now being cursed out and blacklisted are so *rare* that they are absolutely negligible. For instance, will some rabid pest-killer tell me how many sparrow hawks, and duck hawks, and snowy owls have been seen, or killed, in the United States during the past year? I say that to kill either



SURPLUS CROWS KILLED AT BOISE, IDAHO

A legitimate proceeding to restore the balance of nature.

of those very interesting but very rare species as a pest is totally unnecessary, and unjustified by the damage they inflict. And will some one tell me of one spot in the United States where the White-Headed Eagle is a "pest"? Can any man this side of the Pacific northwest coast go out and find a pair of those birds in less than a week of diligent search? And will some one tell me *why* black bears should be poisoned on mountain summits far from the habitations of men? As a killer of stock, the black bear is 99 per cent. not guilty! An elk or a deer or a mountain sheep that eats grass is far more of a pest animal—to the stockman—than the black bear, or even the grizzly, *today*.

According to my facts, the only "pest" birds, to be kept shot down to a low point are these:

The horned owl, barred owl, and screech owl.

The duck hawk, goshawk, sharp-shin and Cooper hawks.

The crow, when he becomes numerous and plainly destructive.\*

The blue jay, when he becomes numerous and plainly destructive.

The purple grackle, when he becomes numerous and plainly destructive.

The magpie, when he becomes numerous and plainly destructive.

\* Today an astounding note on crow and magpie abundance and destruction is published by the Saskatchewan "Public Service Monthly." Regarding a provincial competition in the killing of those too abundant birds it says: "The results show a total of 696,201 eggs of crows and magpies destroyed, and the legs of 239,901 birds. The competition was won by a young boy, Willie Hall, of Watson, who collected 1,445 eggs and 5,216 legs of crows and magpies." In the face of these figures there can be no doubt about the necessity of eliminating a lot of those superfluous birds.

The white-headed eagle is, in a few places in Alaska, too numerous; and there it should be thinned out.

The golden eagle must be kept down to a low point.

But when the last four species are scarce, *let them alone!*

The starling never should be shot. Its value to man is great.

To my mind the common-sense attitude toward quadruped pests is this:

The coyote should always be killed. No danger of his extermination.

The gray wolf should always be killed. No danger of his extermination.

Of black and grizzly bears, only the rare and well known stock-killers should be killed on a "pest" basis; and *never by poison or steel traps.*

The Alaskan brown bears should be killed on a "pest" basis when and where they are a real menace to people, and *made to fear man*; but they should not be systematically slaughtered with phantom cattle or sheep as an excuse. The biggest and most interesting bear in the world is at least entitled to a square deal. When a bear hunter attacks a bear, and is himself killed, remember that the "self-defense" plea is good all over the world!

Finally, I desire to repeat my notice that the killing of the starling as a pest bird is a mistake, and highly improper, and it must stop. After years of living under a ban, and being denied protection all over America from nearly everybody save myself, the U. S. Biological Survey recently has proven that the starling is an insect destroyer of high value, and a specialist on the grubs of that dangerous foreign pest, *the Japanese beetle!*

### *Investigations.*

During the past twenty years we have felt keen and sympathetic interest in many of the investigations into wild life problems that have been made by many persons. We must never forget what this nation owes to the early work of the United States Biological Survey and Bureau of Entomology in the investigation of the food habits of birds, and the relations of birds to agriculture. They formed the very foundations of the measures that have been taken for the protection of crops, orchards and forests, the increase of our insectivorous birds, and the sane treatment of the birds of prey.

Now, however, we have reached a point where we are rendered uneasy in mind over the actual interference of investigation work with the practical and speedy protection of the gunfodder species of birds which are seriously imperiled by the guns and other deadly conditions. Today, every living game bird is on a very different footing from that on which its ancestors stood even sixty years ago. It is today surrounded by a dozen destroying influences which even thirty years ago *did not exist!* Today a dozen species, instead of three or four only, are booked for speedy extinction. If any of them are to be saved, there is no time for any delay about it. For about 30 of our imperiled species of upland game birds, there is positively *no time for dependence upon long-continued investigations, or any slow-moving methods.* Some salvage work must be done at the muzzles

of the guns; and it must be done at once, or in some cases it certainly will be too late.

I now give this as a solemn warning to all investigators:

*Any investigation of a wild life species that fails to take fully into account the present perils of that species from the guns of sportsmen or poachers, and does not propose some relief from the gun menace, thereby falls short of its duty to its subject and to the people.*

Let us have an end of the shrewd dodging, the fence-riding and the smoke-screens that have been a curse and a drag to game salvage during the last thirty years in particular. This nation has had more than enough of it!

### *That Amazing "Duck Census."*

Three years ago Mr. Paul G. Redington, the Forester Chief of the Biological Survey, in pristine innocence conceived the idea—or was persuaded into it—that it was possible and desirable to observe and enumerate (or "estimate") the waterfowl of North America, seemingly on a farmer's basis for counting his poultry "once a month." There was to be no rude hurry about it, and so the prospective period was fixed "for a term of years." And this for birds that twice a year move in erratic and spasmodic flight between the Canadian boundary and the Gulf and Republic of Mexico.

It was to be just as if it were POSSIBLE to prevent the enumeration of the same birds a dozen times over in a single month! Just fancy a dozen observers along the Mississippi, from Itasca Lake to Marsh Island, making an accurate report on the birds of the flight from October 1 to November 1 over that course.

The idea of even a good estimate is preposterous. In any line of flight it is absolutely certain that the same birds would be observed, or counted, or "estimated," several times over. Does anyone dispute this prospect?

In 1927, federal bag-limit reductions were absolutely *halted* in Congress, to await the *information* to accrue from the "annual game census" of the Biological Survey. Acting-Secretary of Agriculture Dunlap insisted upon this to Senator McNary. After three years of diligent activities, and thousands of miles of official travel to establish and encourage enumerators, but with not one word of reports or results published meanwhile—a showdown came on January 28, 1930, in the hearing before 17 members of the House Committee on Agriculture. On the witness stand Mr. Redington was very gently questioned about the results of his *two years* of investigations for scientific data, and a grand basis of "scientific facts" to start with.

We were present. Read for yourself in the printed "hearing" Mr. Redington's testimony. In our judgment it was the most complete and abject admission of FAILURE that I ever saw as the end of a scientific "investigation." It was pitiful. In spite of our annoyance over Mr. Redington's course, we were sorry that the breakdown was so complete.

But some men never know when to let go. In the pursuit of folly some people insist upon going to the limit.

On July 31, 1930, the Biological Survey deliberately set out to make a bad matter doubly worse. It issued a notice of intention to pursue "a new method for estimating the numbers of wildfowl present in North America in any season," by the cheap and easy method of "calculating waterfowl abundance on the basis of banding returns."

The three factors are (1) the number of ducks banded each year and turned loose to be shot in the next open season; (2) the number of banded ducks shot and reported; and (3) the *total number of ducks killed in North America during the year as (voluntarily) reported by the duck-killers of North America!*

We are sorry to see this preposterous plan seriously taken up by a government bureau, and seriously put up to the American people. If the saving of the waterfowl of North America must be accomplished by such queer "science" and "investigations" and "data" as that scheme will produce, then let us at once say goodbye to the ducks and geese of North America.

We await with interest the reaction of Senator Walcott's Special Senate Committee on the above situation and prospect. Incidentally, we regard every dollar of money that has thus far been expended, or that may be expended in the future, on that lamentable "duck census" as wholly wasted.

## CHAPTER VIII

### HUNTERS AND "CONSERVATION": GROTESQUE AVERAGES

"Man is a reasoning being," though not the only one. The highest duty of a reasoning being is to REASON. Unreasoning beings must, like slavery, resolutely be put down. Being dangerous citizens, what else can be done with them?

Let it be thoroughly understood that "we," the author hereof, do not for one moment resign ourselves to the extermination of Bobwhite, or any other species of quail, and we refuse to accept its elimination from American farms and wood lots in behalf of any alien substitute. Let those who enjoy shooting half-tame pheasants breed them or buy them, to set them up one day and shoot down the next; but let it never, *never* be done at the expense of Bobwhite. I insist that Bob shall have reasonable treatment, and that he and all his friends shall have a square deal.

I shall base some premises on the numerical strength of the regiments and divisions of shooters in the five northern states who have had the enterprise to furnish the public with the figures that show the annual killings of their game birds. I will set beside the totals of quail killed in the last years reported, the totals of licensed hunters out after quail—and all other "game" they could find.

The totals of quail killed per state look big—until you figure up the *average* number of quail secured *per season* by each member of the grand army of hunters. A few lucky hunters get from 1 to 10 quail per day, and *the luckless hunters get none at all!* Does it look as if it will be long before *all* of the northern quail states join the dark-and-bloody grounds of the "No-Open-Season" states? Think it over.

As sure as the world, every quail-hunting state in the North now is cruelly permitting its hard-boiled quail hunters (who think that "shooting up vanishing coveys stimulates breeding"! ) to kill its remnants of quail down to a point so *low* that even the toughest of quail cannot recover. The die-hard hunters do not give up their "privileges on quail" until the seed stock is almost gone, and nothing but a few fugitives remain. It takes a mighty long time for weakened and terrified birds to recover, and make successful nestings, and rearings of young—and don't you forget it! The days of scarcity and weakness are the harvest time for the old, blear-eyed, flea-bitten and savage hunting cats—which some sportsmen put down as the worst of the "vermin" enemies of quail.

And right here, *remember the Heath Hen!* Its history will show you just what I mean about the handicaps on weakened species, and sometimes the utter impossibility of human sympathy, brains, money, and official power to stave off extermination, and bring them back to safe ground. Do all our northern and western and southern states wish to see our American

quail go as the heath hen has gone? If the question could be voted upon by all the people who vote, the only answer would be a thundering "NO."

The American people as a majority are not cruel. They are not "killers." And, above all, they are not exterminators of fine bird or mammal species of any kind or kinds, anywhere. The trouble with them is that they are too everlastingly careless and heedless about their wild life, *and they have not even yet learned how to back up their state lawmakers, and state game commissioners and wardens, in the doing of everything that is necessary to save wild life, to give it a square deal, and insure its permanent place in the sun.*

#### WHAT THE KILLING LAWS MEAN TO KILLABLE QUAIL

Sportsmen, did you ever *once* stop to figure out what the killing laws really mean to open-season quail? For fear you have not, I will now do a little figuring for you; and I will take as examples 6 northern states that still permit killing.

|                |         |          |           |      |    |       |      |     |    |       |     |     |
|----------------|---------|----------|-----------|------|----|-------|------|-----|----|-------|-----|-----|
| Pennsylvania's | 515,000 | licensed | sportsmen | have | 30 | days, | good | for | 25 | birds | per | day |
| New Jersey's   | 183,280 | "        | "         | "    | 35 | "     | "    | "   | 10 | "     | "   | "   |
| Maryland's     | 69,025  | "        | "         | "    | 35 | "     | "    | "   | 10 | "     | "   | "   |
| Virginia's     | 116,133 | "        | "         | "    | 45 | "     | "    | "   | 15 | "     | "   | "   |
| Missouri's     | 231,101 | "        | "         | "    | 20 | "     | "    | "   | 10 | "     | "   | "   |
| Minnesota's    | 118,001 | "        | "         | "    | 30 | "     | "    | "   | 10 | "     | "   | "   |

We will now translate the above into possibilities for dead quail. Every open season means a possibility of shooting days and dead birds. If every licensed hunter should shoot his full legal bag limit of quail on each day of the open season, the results would be as follows:

|                     |            |          |       |       |   |       |             |    |             | DEAD QUAIL |
|---------------------|------------|----------|-------|-------|---|-------|-------------|----|-------------|------------|
| Pennsylvania's law, | 15,450,000 | shooting | days, | means | a | legal | possibility | of | 386,250,000 |            |
| New Jersey's        | 6,414,800  | "        | "     | "     | " | "     | "           | "  | 64,148,000  |            |
| Maryland's          | 2,415,875  | "        | "     | "     | " | "     | "           | "  | 24,158,750  |            |
| Missouri's          | 4,622,020  | "        | "     | "     | " | "     | "           | "  | 46,220,200  |            |
| Minnesota's         | 3,540,030  | "        | "     | "     | " | "     | "           | "  | 35,400,300  |            |
| Virginia's          | 5,225,985  | "        | "     | "     | " | "     | "           | "  | 78,389,775  |            |

Whenever I make possibility calculations like the above, some of my critics and detractors grow wrathful. They say: "That is unfair. It is not possible for every sportsman to get the bag limit on each day of the open season. It is not in human power to kill all those millions of game," etc., etc.

"Quite true," we answer. "They do not exist; and they never did! And why in the name of common sense do any sane sportsmen and game commissioners ever permit such wildly impossible 'killing privileges' to disgrace their statute books? Is it to insure that each hunter who goes out with a gun is to kill *all the game that he can possibly FIND, and HIT?*"

With each hunter able to get only *a fraction of one quail* as his average for a whole open season, *why* maintain bag limits and open seasons that are palpably outrageous and absurd? We will now exhibit a bunch of figures to illuminate that point for hasty and wasteful readers. In some cases we will hark back three or four years, to the time when there were *fewer* sportsmen and *more* game birds than there now are! This should



increase the averages, not reduce them. In 1921 the Pennsylvania State Game Commission figured it out for us. I have done the others myself. In 1921 the reports received from 47,000 hunters enabled the Pennsylvania Commissioners to figure out kills and averages for the whole lot of her 614,132 hunters who operated on game that year.

#### AVERAGES OF GAME PER HUNTER

The only correct and true way to determine the abundance or scarcity of game in any state or nation is in comparison with the number of armed men who go out to kill it. The solidarity of this method is quite obvious. Half a million quail for one million hunters means one-half of one bird to each hunter—and if anyone thinks that represents “an abundance” of quail—why, the rest of the world will differ.

Many states are keen about printing all the figures showing the fish fry or fingerlings that they distributed during the past year, the quail purchased, or pheasants bought or reared for their Barren Grounds—but mighty few states take the trouble to compile and publish full figures of the game killed. However, and fortunately, enough states have done so to enable us to offer a good line of samples of game “abundance” that are fairly sufficient for our purpose. We ask particular attention to the table of percentages figured out and published in 1922 by the Pennsylvania Game Commission, which had to employ decimal fractions to express the smallness of some averages.

#### PENNSYLVANIA IN 1921

Each hunter got  $9\frac{1}{2}$  ounces of dead duck, meaning 1 duck to every 5 hunters.

Each hunter got  $4/100$  of a pound of goose, meaning 1 goose to every 160 hunters.

Each hunter got  $1/100$  of a pound of shore and marsh bird meat, or 1 bird to every 25 men.

Each hunter got  $7/100$  of a pound of quail, or 1 bird to every 5 men.

#### IN THE SEASON OF 1922-3 IN VIRGINIA

78,410 hunters killed 5,344 wild turkeys; each got  $1/14$  of 1 bird.

78,410 hunters killed 50,982 ducks; each got  $5/8$  of 1 bird.

78,410 hunters killed 4,929 woodcock; each got  $1/15$  of 1 bird

78,410 hunters killed 8,150 quail; each got  $1/9$  of 1 bird.

#### IN THE SEASON OF 1923 IN MARYLAND

60,063 hunters averaged 1 wild duck each,  $1/10$  quail,  $1/30$  of a jacksnipe,  $1/3$  of a dove,  $1/3$  of a bobolink,  $1/30$  of a plover,  $1/33$  of a Canada goose,  $1/23$  of a brant, and  $1/120$  of a wild turkey.

## IN NEW YORK IN 1923

312,340 hunters each got an average of  $1/5$  of 1 duck,  $1/312$  of a goose,  $1/20$  of a woodcock,  $1/62$  of a snipe,  $1/377$  of a poor little sora rail, and  $1/694$  of a golden plover. There was no quail shooting in New York State except on Long Island.

## MINNESOTA'S GAME AVERAGES IN 1929

*The largest total killing reported for any state up to Sept. 1, 1930.*

110,536 hunters killed 2,700 quail, or 1 bird for every 47 hunters.

110,536 hunters killed 4,608 doves, or 1 bird for every 24 hunters.

110,536 hunters killed 10,547 prairie chickens, or 1 bird for every  $10\frac{1}{2}$  hunters.

110,536 hunters killed 297 rail, or 1 bird for every 446 hunters.

110,536 hunters killed 2,005 Can. geese, or 1 bird for every 55 hunters.

110,536 hunters killed 1,473,512 ducks, or 13 birds for each hunter.

The states quoted above have been chosen for these calculations because they were the only ones who had gone to the labor of compiling the records of their annual yields in game. They are not to be considered as exceptions in any way, and the conclusions to be drawn from their records apply with full force to all other states, according to their respective armies of hunters and their hunting laws. Briefly stated, our conclusions on state conditions are as follows:

## CONCLUSIONS REGARDING UPLAND GAME BIRDS

1. Every state in the American Commonwealth maintains a grand army of hunters that is about 5 times too large for its game supply. It maintains on its local game, bag limits and open seasons that are devastating in their liberality to the hunters. The present basis of free hunting is absolutely certain to exterminate practically all of our native upland game birds, and that too within a relatively short period. The present basis means lifeless farms, fields, and forests—except as to insect life, which *surely will increase, everywhere!*

2. Every state in the United States that permits the killing of quail and grouse now maintains bag limits that are *far too high*, and open seasons that are *far too long*. The laws are devastating, and thoroughly EXTERMINATORY; and they must be drastically reformed, *or no upland game birds will long survive*. Every schoolboy in America should be able to recognize these conditions.

3. No open season on quail, of any species, should now or hereafter exceed ten (10) days. No bag limit should be higher than 5 birds per day, with a season limit of 10 birds, *and no more!* Grouse and turkey shooting should everywhere be stopped for four or five years, *to afford time to effect stabilization*. It is supreme folly to kill game while trying out means to save it from extinction.

4. Any state that imports quail at \$2.50 or \$3 *per head*, and maintains a bag limit of more than two birds per day, and a season limit of more than 5 is a fool! (Look at the State of Missouri, now ruefully contemplating the slaughter last year of 1,000 *quail* by three miscreants whose three "hunting licenses" yielded to that state the Magnificent Sum of \$7.50 *all told*! Missouri deserves the treatment that she got!)

5. To exterminate our finest small game bird (Bobwhite) and install the alien ring-necked pheasant, or the Hungarian partridge, in his place, would be an outrage on the farmers and on the bird fauna of North America. No man or woman fit to cast a ballot should stand for such doings, so long as bugs are bugs.

6. Our American quail can be saved on a permanent basis, as farm workers, and possibly as game also, provided the real Men and Women of the United States have enough sand in their craws to get up out of their easy chairs and DO IT! In two years of no "preparedness" prior to 1917 we were imbeciles. Are we imbeciles today, about curbing the guns of sportsmen, hunters, and the hard-boiled killers who are crazy to kill "all that the law allows"?

7. English conditions of private game ownership, private breeding and maintenance and private shooting under ironclad owner's limits imposed from day to day, never in this world can be reproduced in the United States, or in any liberty-ridden republic. It is useless to think about it, or to talk about it. It is not possible even in America's private game preserves.

These are matters for real sportsmen, state game commissioners and state legislatures to take up—at *once*—in an honest spirit of salvage by sacrifice, and produce a wide crop of results both quick and good.

*The Case of the Mourning Dove.* Once the bobolink was an ever-present thorn in my flesh. A number of years ago, when the rice planters of the Atlantic Coast posted it as an unbearable pest and scourge, I felt compelled to acquiesce in the killing of it by sportsmen, as a pseudo-game bird. For years that status was maintained; and by it I felt daily humiliation. But at last the bobolink had disappeared so thoroughly, and the rice industry had been so much replaced by other industries, that the Biological Survey took the bobolink permanently off the game-bird list.

And now it is the beautiful and useful mourning dove that is up as another pseudo-game bird, for universal killing as game throughout the whole of the South, the Southwest, California, Oregon, Minnesota, Nebraska, Kansas, and Illinois. Behold Mr. E. A. Preble's map, copied from *Nature Magazine* for August, 1930, p. 126.

I do not approve the new game-bird status of the mourning dove. I strongly disapprove it. It is another thorn in my flesh. That lovely and lovable bird is a farm and family ornament. Where I was brought up, any man killing doves as game would have been jeered at. The mother of our family forbade the molestation of doves. How can any Man with sand in his craw come down to the potting of doves for "sport"? The scarcity of

real game is no adequate excuse. A big-game hunter might as well come down to hunting chipmunks as a sport in the open.

No: I do not propose to start any campaign to reform the sportsmen and the laws of the *twenty-seven* sovereign states wherein dove-killing is practiced as a noble sport for men. That task is not for me. I will, however, print Mr. Preble's map of states that do, and do not kill doves, and the full text of his editorial views as given in *Nature Magazine*. The open season details should be recorded here. Says Mr. Preble:

*"Open Seasons on Mourning Doves.* The 1929-1930 seasons for shooting mourning doves show some improvement over those of the past year. States not tinted or marked have no open season. In the black colored states, however, the season still opens on September 1, when many of the birds still have eggs or young in the nests. In all those states in black, but not otherwise marked, the season continues until December 15—105 days—and with few exceptions the gunner may kill 25 doves each day.

"Illinois has an open season of 30 days. Minnesota allows doves to be shot for only 16 days beginning September 16. North Carolina and Florida have reduced the season to the period between November 20 and January 31; eastern Texas from November 1 to December 31. Mississippi, Alabama, Georgia and South Carolina have the so-called split open season, there being a period in the middle of the fall when no doves may be shot. Louisiana has abandoned the split season, and authorizes killing only from December 1 to January 31. There are some county exceptions, and some of the seasons may be changed this fall."

When the gentle and beneficial dove is given proper consideration, no state will allow its killing, especially when it is caring for its young. And now I ask in all seriousness, *why* has not the rich and powerful National Association of Audubon Societies ever come to life sufficiently to start a movement to stop in 23 states the killing of the mourning dove (a *migratory songbird* of good value to farmers), as a "*game bird*," and eating it as such? This very day we are in receipt from that abounding Association another beautiful invitation to "join" as a life member, *backed up by a* Pearson "leaflet" about the beauty and economic value to *farmers* of the *mourning dove*! As to the status of that bird, it is very convincing, but it is anything but a testimonial to the vision, energy and consistency of the Audubon Society's administration.

Two years ago the annual invitation circular of the Society was embellished by a colored picture of another beautiful migratory songbird, the red-winged blackbird, which, in spite of a dozen protests that the writer has made year by year for several years, *still is legally shot in the District of Columbia, and eaten, as a game bird*! That is a reproach to the officers of the Audubon Society, and also to the U. S. Biological Survey.

But it does one good thing.

It shows the true character of the people who are fighting us.

## CHAPTER IX

### THE PROGRESSIVE EXTINCTION OF QUAIL

In the destruction of game, ingrowing cussedness beats "fanaticism."

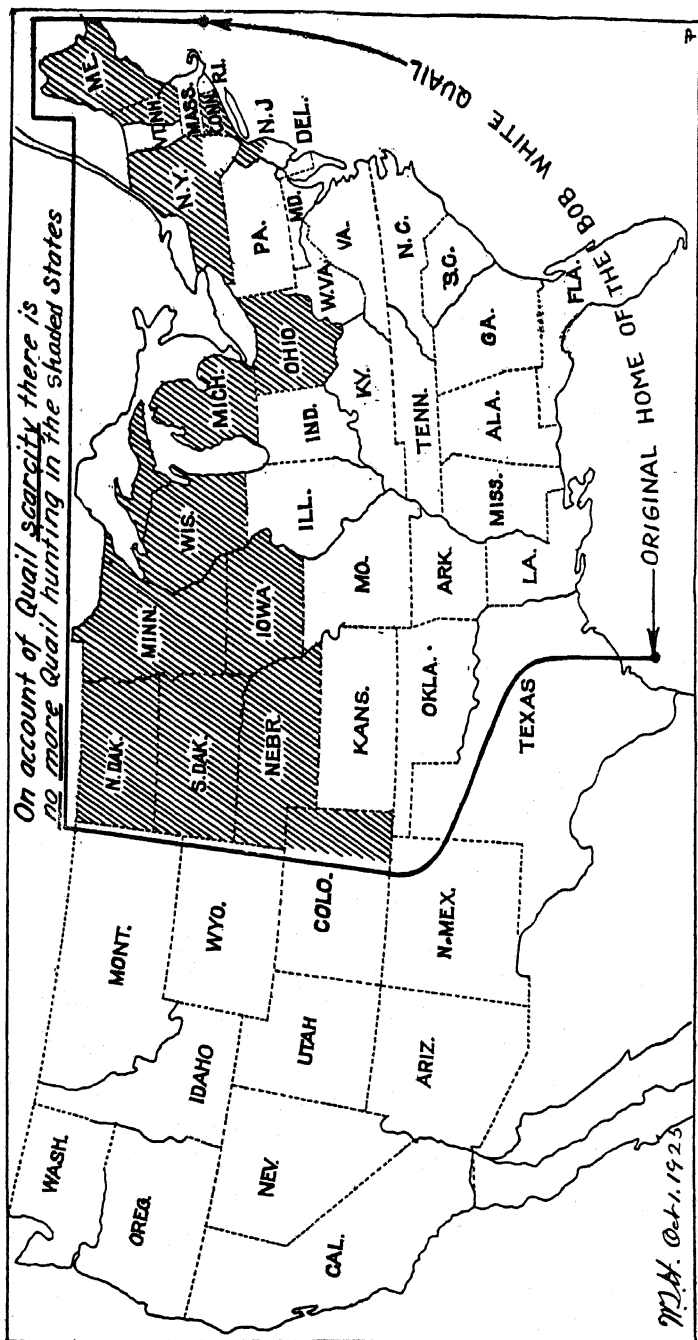
When Old Dame Nature made the quail, she made a brave and beautiful little creature, most perfectly fitted by taste and habit to aid man by eating vast quantities of the accursed bugs that exist only to harass him, and destroy his substance. Possibly she could have made a more lovable farm bird, but probably she didn't. She made a bird of charming personality, tireless industry and a devastating appetite for bad bugs and the nasty and bitter seeds of disreputable weeds that to be hated need but to be seen.

She made Bobwhite of the East as the farmer's best friend in feathers. But alas! She made Bob trustful of man, to a fatal degree. Of all game birds given to man, bobwhite has been the chief victim of misplaced confidence. Just why Nature failed to make man on the perfect pattern that she chose for the bird, we do not know. Both mentally and morally, man is bobwhite's everlasting inferior. Man, the eternal brute, was made 75 per cent. dull-witted, mole-blind and hyena-savage. All but a very few of him were blind to the good qualities of his best friend among the game birds, and so greedy as to be utterly unable to resist the temptation to hunt (with the help of serf-born dogs), and kill, and greedily eat brave and gallant bobwhite. When an intelligent and humane farmer attempts to protect his best friend, and refuses to slaughter him for "the table," it often happens that an automobile load of "sports from town" whirl up to the back of the farm, where the woodlot is, pile over the fence, shoot up all the quail they can find, and whirl away again before the farmer can get there and say some words.

For interesting details about the minds and manners of trespassing sportsmen the reader is advised to peruse a tidy little pamphlet entitled "A Farm Woman Speaks," by Mrs. Grace McC. French, of Carlton, Oregon. (Oregon Federation of Women's Clubs.) Its contents may be new—to people who are not farmers. But just now the best of the U. S. sportsmen are seriously trying to reform, and educate in farm-hunting ethics, the worst ones of the 7,000,000 sportsmen mass.

The case of the bobwhite quail is a highly instructive example of the failure of Americans in protecting the best bird of all America, *and the one most easily protected!*

It is no longer necessary to tell the proletariat that bobwhite is known to devour 145 different kinds of bad insects, and the seeds of 129 anathema weeds; because even the American baby-in-arms now knows that. The figures reveal the most powerful engine for the protection of farm crops ever put together of flesh and blood. And the society of the Quail Family is fit for kings. The farmer, or farm laborer, who is not thrilled by the sight of bobwhite on the top rail of his morning fence, and encouraged by



## THE PROGRESSIVE EXTERMINATION OF QUAIL SHOOTING

The 35 states composing the eastern half of the United States formed the original home of the Bob-White. Owing to Quail extermination, Quail hunting is extinct in the 14 shaded states.

his cheerful clarion sun-greeting of "bob-bob-*whi*-eet!" is a dull human clod *per se*.

We are too busy to handle all the quail species of the United States, therefore we will focus our attention upon the eastern Virginia quail, with a passing remark that it is queer that some ornithologist of the Pacific watershed does not write a pamphlet or a book on the status of his home birds from the salvage or extermination point of view.

Originally our eastern bobwhite inhabited 35 states, stopping in its westward spread at the western boundary line of the Dakotas and Nebraska, and taking in the northeastern third of Texas. Southward they go to the Gulf. By 1926, quail had become so scarce in 14 states that in them all quail hunting had been stopped, and for them the sport of quail hunting was *extinct*! Instead of being exterminated by "the plow," an instrument very deadly to birds (in the minds of some of our friends), it loved cultivation, and thrived in it. And times were when practically every farm east of the Great Plains had its quota of quail. The time was, up to about 1870, that no one thought it necessary to seriously "protect" quail!

And then the organized market gunners of Chicago and St. Louis and New York began to do their deadly work. They quietly combed out of this fool's-paradise country all the quail, prairie chickens, ducks, geese, snipe, woodcock, plover, and other shore birds that they could find, to sell at a few cents per dozen, to be eaten, or to spoil in transit, or decay in the market-place.

And the fool farmers, and fool townsmen of America, for thirty years or more permitted this commercial slaughter to go on, until one day in 1897 people awoke to find the nation's game fearfully depleted, and vast areas of extermination almost depopulated of game. Men awoke, rubbed their eyes, and said,

"Why! Our *game* is *all gone*! Now, *when* did this happen? We must give this vanished game PROTECTION!"

"Yes!" said others. "And we must buy and introduce foreign pheasants, and Hungarian partridges, and Mexican quail, to take the place of the *native species that are being exterminated*."

It would be a waste of time to cite any of the laws that were passed to bring back *vanished* quail. They were all disgustingly LATE, puerile, and easily attacked by repealers pleading for, or truculently demanding, "an open season."

As a specimen exhibit, observe the case of New York.

In 1914—when game conservation in New York State reached its highest point of efficiency, the sportsmen of that state joined the "fanatic" conservationists in giving their remnants of quail a 5-year close season. At the end of that period, the recovery had been so slight as to be almost imperceptible. Further protection was given, until 1925. Meanwhile, the enemies of long close seasons on imperiled game boastfully said:

"Aha! You see! The quail have *not* come back, as you said they would. Your long-close-season idea is no good. The coveys of quail breed better when they are shot up each year, and *scattered*, so that *new coveys will be formed*!"

In response to the demands of sportsmen, in 1925 the New York Legislature reopened quail shooting in the 6 most southern counties of New York. Putnam County is one of them. And just now the New York State Game Commissioner has issued a press bulletin reporting that the official returns of game killed in the season of 1929-30 show for Putnam County a total kill of "TWO quail, and 7 woodcock!" Comment is quite unnecessary.

We offer this history as a permanent exhibit. Quail are "plentiful" today in those six southern counties of New York—just as "plentiful" as mastodons, elk, and buffalo, but no more.

And in about eleven states of bobwhite's original home, game commissions are buying small-sized hot-weather quail from Mexico at \$2.50 to \$3 per bird, and turning them loose in the spring in their quailless covers, to be shot by "sportsmen" in the fall hunting season. The annual importations run far up into thousands; but what is the use of taking the trouble to quote them here?

The drollest quail case on record is reported (1930) by the Missouri State Game Commission, thus: In the hunting season of 1929-30 three quail butchers devastating in Missouri according to law, reported having killed (in the round number) about 1,000 quail. (The sale of quail being forbidden by Missouri law, it must have been that those wagonloads of quail were killed to *feed the starving families of those three men!*) For those 1,000 privileges those men paid \$2.50 each for their licenses. Three times \$2.50=\$7.50.

Now, at current market prices those 1,000 quail were worth to the State of Missouri (at \$3 each) exactly \$3,000. . . . And we opine that somewhere there is a screw loose between the laws and the verities in the sovereign State of Missouri.

It has been proven in Kansas, Oklahoma, Minnesota, and Ohio that long close seasons honestly observed *can* and *do* bring back the quail when the seed stock is sufficient at the beginning of the trial. But the greed and blood lust of addict quail killers for the blood of bobwhite is more than a mere wonder. It is a phenomenon in human perversity. On Long Island, ever since 1914 we have seen the remnants of quail mercilessly pursued, to extinction over large areas, through winters of terribly destructive sleet and ice storms, and through sweeping destruction by prairie fires. We have seen the 1200-acre "preserve" of a Long Island country club so thoroughly cleared of quail that on a glorious first day of Long Island's own selfish hunting season, four good sportsmen and two good dogs were able to find and kill only 1 poor little hen quail.

And yet, whenever I have demanded, on account of a greatly-deplored "hard winter," a quickly-given close season to compensate for it, the sad-eyed quail hunter's stock answer was,

"Well, I think we may as well kill them as for the cold winters to destroy them!"

Now, what can anyone do with such "sportsmen" as those!

*Quail that Remain.* And now for such cheerful quail news as we have been able to collect. How fares quail shooting in some of the states



wherein quail-hungry men would rather eat the little Prince of Game Birds than hear him sing? The quail killing states are literally swarming with sportsmen, automobiles, dogs, and guides; and a majority of the hunters carry either 6-shot pump guns or 5-shot automatics. We will condense a few returns—the latest available.

In 1930, Pennsylvania reported the feeding in 1929-30 of 83,096 bobwhite quail.

In 1930, Minnesota reported the killing in 1929-30 of 2,700 quail.

In 1927-28, Virginia sportsmen killed 315,452 quail.

In 1929, North Carolina hunters killed 433,000 quail.

### OPINIONS ON BETTER PROTECTION FOR QUAIL

ARKANSAS—Orville Smith, of Romance—"I believe the five-year close season will help save the quail, but the farmers in the South have destroyed thousands of birds by putting poison on cotton to kill the leaf worm."



THE BUGS PROTEST AGAINST QUAIL PROTECTION

W. A. Ireland in *Columbus Dispatch*.

- CALIFORNIA—S. A. Morgan—"I am strongly in favor of a long close season for bobwhite, one of the best friends the farmer and fruitman has."
- COLORADO—Marion E. Bennett, of Del Norte—"I am a native of Kansas and know the value of quail to the farmers and the farm industry in general. The five-year protection in Kansas helped, but will say that I am in favor of permanent protection for this bird. I consider the quail to be too valuable a bird to be exterminated by sportsmen."
- ILLINOIS—Earl Merrit, of Hoopeston—"Bobwhite is the farmer's best friend and should have ample protection from the sportsmen."
- INDIANA—G. Johnson, of Commiskey—"Have a five-year close season on quail, or they will be killed until none survive. I do all I can to protect them by feeding them grit and wheat in the winter; and then the sportsmen come right in and kill them when I don't know it."
- KANSAS—Mrs. Fannie Heslocker—"There should be a law to protect the quails. They are the most helpful to the farmer of any bird I know of. They should be placed in the songbird list, by all means."
- LOUISIANA—Mrs. Pearl Pipes, of Minden—"Bobwhite will soon be gone in Louisiana if protection is not given. I control 160 acres, and no bird is killed on this tract. They have increased very rapidly in three years on my farm."
- MICHIGAN—Mr. A. C. McFate—"Can a close season bring back game? I'll say it can, and does. They had well nigh disappeared from Michigan, but with several years of protection they are now very plentiful."
- MICHIGAN—Mrs. L. N. Coons, of Leslie—"I think the quail should be permanently protected, the same as the songbirds."
- MISSOURI—Scout Opie Clonan, of Reynolds—"I have been over all Southern Missouri, and find only a few quail. Here in Reynolds County they grow scarcer every year, and are being killed continually."
- NEW HAMPSHIRE—Florence M. Gillett, of Walpole—"I am in favor of placing quail in the songbird list for permanent protection."
- NEW YORK—W. Russell, of Lynbrook—"I am decidedly in favor of having bobwhite placed on the list of songbirds."
- NEW YORK—Miss Ethel Bigelow, of Brooklyn—"I think bobwhite should certainly be put on the songbird list, and kept there permanently."
- NEW YORK—Mrs. H. W. Leonard, of New York City—"I am firmly for the preservation of all wild birds, as I believe noxious insects will destroy us if we don't begin to think of wild birds as friends and not as foes."
- OHIO—Mrs. S. F. Reynolds, of Garrettsville—"Bobwhite is not on a survival basis, in this part of the United States at least. We have one or two flocks on our farm, which are very tame."
- OKLAHOMA—Tom W. Anderson, of Hennessy—"About the only place one can find quail is on a farm where some 'old crank' has been determined to protect them at all costs. Even in cases of this sort they are few and far between."
- PENNSYLVANIA—J. H. Donnelly, of Carnegie—"Quail should be on the songbird list in all states."

- PENNSYLVANIA—R. G. Iscrupe, of Ligonier—"The season on bobwhite has been closed here about five years and this year they are plentiful. I think they should be placed on the songbird list, since they eat numerous insects that no other bird does."
- PENNSYLVANIA—Mrs. G. J. Bankson, of Brookville—"I am first, last and always for giving bobwhites permanent protection by putting them in the songbird list."
- SOUTH CAROLINA—A. A. Richardson, of Columbia—"I realize that the quail cannot last forever at the rate they are being killed. Of course, this also applies to other kinds of game."
- TEXAS—John McElhoney, of Athens—"In this part of the country quail and doves are in danger of extinction."
- TEXAS—Mrs. Hanson, of Gladewater—"I want to say, if something is not done to save bobwhite, he will soon be extinct in Texas. I am for perpetual protection."
- TEXAS—Mrs. Willis Rope, of Paris—"I don't see what is to become of the farmers in this country. When we had plenty of quail, we were not bothered with boll weevil, and now not a quail, and the crops are being destroyed every year. It is alarming."
- WEST VIRGINIA—C. Clyde Coleman, of St. Albans—"I think bobwhite is not on a survival basis, and we should have very strict laws for his protection."
- WISCONSIN—George Tidstiom, of Ashland—"Twenty years ago there were plenty of quail in this section of the country, but today I am sure that the rising generation has no idea what a quail is. I have not seen one for fifteen years, and I spend a lot of time out of doors. Am in favor of a close season for some time to bring bobwhite back in numbers equal to the partridge and grouse. It can be done if started soon enough."

*Education.* Much is now being said by sincere and practical conservationists who for years have been straight thinkers and diligent workers, on the importance of education as a means of grace in the saving and increase of game. At this late day, and in this fateful hour, far be it from me to discourage any work that offers even a fighting chance to save something from the present and impending wreckage of American wild life. I must, however, post one note of warning.

In no account should the value of education as a practical factor in bird and general wild life conservation be stressed beyond its real potential value. I think that value is not nearly so great as it looks when first seriously considered as a policy. In restoring wild life, education is academic and long winded as to results. What is needed today is *intensive opposition* to the active and aggressive campaigns of destruction that *to a large extent are sweeping everything before them, into oblivion.*

This is not the time to replace the drastic, strong-arm methods for game salvage by an excess of soft-voiced, soft-handed "educational" methods. In the worst crisis the latter will get just nowhere! Do not be deceived by the food of lotus-eaters.

During the last 32 years of working—and many times fighting—to

succor wild life, I have tried, and seen tried, many different plans of campaign. Thirty years ago I never dreamed for one moment that in campaigning to protect the rights and the lives of wild life I would be compelled, during fully half the time, to fight for every foot of ground. But I have had to do that, or be defeated, and compelled to quit the field.

Ever since 1902 I have watched the work of the National Association of Audubon Societies. I learned from gallant William Dutcher a lot about *fighting for ground to stand upon!* He was a straight thinker and a fearless fighter. The "educational methods" that he employed in those early years were at that time good and desirable, but quite secondary in comparison with the bills he introduced, and fought for, at Albany and in the legislatures of various other states.

What is the use of "education" if its results are so minute that they are invisible? I would like to see an annual crop of results in bird salvage in proportion to the generous income of the Audubon Society.

Today, the State Game Commission of California announces that it is about time to embark in a great campaign of education. For heaven's sake tell us, what has Mr. Bryant been doing for the Commission all these years, with a fine monthly magazine of conservation, and other things, if not to do "education"? I have steadily held that the educational work of the Commission has been admirable—as far as it has gone.

It seems to me that there is much to do in California's wild life protection industry that calls for strong-arm methods rather than more education. I refer to the odious and destructive "commercial" game-killing clubs, to which any yahoo can go with \$10 and at once get a full bag-limit of ducks, or geese. That whole system should be overhauled and reformed. The everlasting "baiting" of waterfowl, to get them into "club" waters for close-up slaughter, should be stopped. The practice is too barbarous and destructive to be endured; but the baiting of strict sanctuary waters is all right.

If Mr. Hornblower's clients undertake to put over any of the lawless probabilities that he has talked about so freely, it will be up to the game wardens of California to put a crimp into any practice of shooting 30 ducks in one day and palming them off as the kill of two days.

Here at home the manufacturers of sporting arms and ammunition have finally rejected our overtures for cooperation in our next campaign—with services, not money. While some were heartily in favor, there was sufficient indifference and opposition to cause the rejection of our proposal to bring about reasonable reductions in the present wasteful open seasons on waterfowl. The present idea and intent of the Institute is for "educational methods," which surely will not diminish the annual output of 800,000,000 cartridges, of which only a small percentage are used in trap shooting. . . . It is too bad that in all these 30 years, and the expenditure of several hundred thousand dollars on academic "conservation" (all save once), the otherwise-admirable gun and ammunition manufacturers cannot, *for just once more*, do some REAL game conservation! Heaven knows that they have in past years (unintentionally) done a-plenty in hindering and blocking conservation. In 1926 Congress was *most* kind to them in abolishing the war duty of 10 per cent. on their output, which

had the effect of putting millions of dollars into their pockets. And when this had been done, *at once they cruelly raised the price of cartridges by 15 per cent.*! (See the *National Sportsman*, of Boston, and *The Big Horn*, of Missoula, Montana.

Is it not now high time for Congress to place a tax of two cents per box on every box of 25 shotgun cartridges, and spend the money in counteracting some of the bad work of the guns?

*Breeding Quail in Captivity.* Yes, it is "possible" to breed quail in captivity, and to raise some to maturity. The brave and willing little birds go to it willingly, and sometimes with boundless enthusiasm. Mr. W. B. Coleman mentions a hen who laid 124 eggs in one season.

But the handicaps that are ever present to defeat success are many and deadly. The worst things to fight are outbreaks of disease that decimate the pens. And the attacks of cats ruin the work of many an amateur. Determined efforts to find ways to breed and rear quail successfully have been made during the past 10 years, but quail raising is not yet even on the threshold of success. The State of Missouri has cleaned her slate, and started anew on a better organized series of experiments, and we sincerely wish her good luck.

#### BEST RESULTS IN QUAIL BREEDING IN 1928 AND 1929

|          | MEXICAN QUAIL<br>PURCHASED | QUAIL<br>EGGS INC. | GOOD<br>QUAIL<br>HATCHED | QUAIL<br>REARED |
|----------|----------------------------|--------------------|--------------------------|-----------------|
| Missouri | 1,200 in 1928              |                    | 9,500                    | 9,500           |
| Virginia | 10,000                     | 7,641              | 5,727                    | 4,069           |
| Maryland |                            | 3,400              | 1,641                    | 500             |

Of Virginia's large purchase only 107 cocks and 107 hens were bred. Their average of eggs was 72 per pair. For a full Report by W. B. Coleman, see the Transactions of the American Game Conference for 1929, page 40.

\* \* \* \* \*

The above records represent the best results in quail breeding that were achieved in 1929, about ten years after serious quail-breeding experiments began, in Virginia, under the direction of Mr. W. B. Coleman. The outlook is the reverse of encouraging.

*The Attitude of Sportsmen Toward Quail.* It varies; between wide limits. No other truthful generalizations are possible. The treatment accorded bobwhite by "sportsmen" (and all killers must now be lumped together into that class because there are NO caste and division lines!) varies all the way from affectionate protection and feeding without guesswork, down to the lowest depths of treacherous and savage shooting up of covies to "make them breed better."

If it were worth while, and I had the time, I could differentiate about twenty-five different classes of men whose souls could be revealed under twenty-five different terms of quail treatment. But what is the use?

For all men who give quail a square deal, and humane salvage when

tender treatment is needed, I have nothing but admiration, and terms of praise. For the savage and relentless quail-butcher, and the "conservationists" who piously say, "The quail is a game bird, it belongs to the sportsmen, and it can safely be trusted in their hands," I have nothing but outrageous contempt.

At various times, and in various places, we have heard threats allegedly from sportsmen declaring in effect that "If the quail are given a long close season sportsmen will no longer take any interest in feeding and 'protecting' (!) them, and the quail will starve and freeze in winter because no one else will do anything for them."

I never took any stock in any of those threats, either as expressed or implied. Sportsmen generally are not as mean as those threats would imply. Only the meanest of them would deliberately let America's Prince of Game Birds starve in winter. But the threats of shooting quail contrary to close season laws are more dangerous. It is easy for poachers to kill bobwhite, and get away with it, in coat pockets immune from search without a warrant.

In 1928 a bright young sportsman named Horace Lytle published a nice little book called "No Hunting?" Its contents were to me highly interesting, and its last chapter gave me quite a jolt. It showed how savage sportsmen can become against a quail-protection law, how easy it is for whole communities to kill quail contrary to law and get away with it, and finally how some sportsmen glory in breaking game laws that have not been framed by and with their royal consent. The story of Big Jim Marsh, and the incendiary anti-quail-law speech that he made to a sizable audience of sportsmen, is a revelation. It is in the chapter entitled "One Way to Win"; which means by combining and voting men into legislatures who will fix things as the sportsmen wish them. This is the story, in brief:

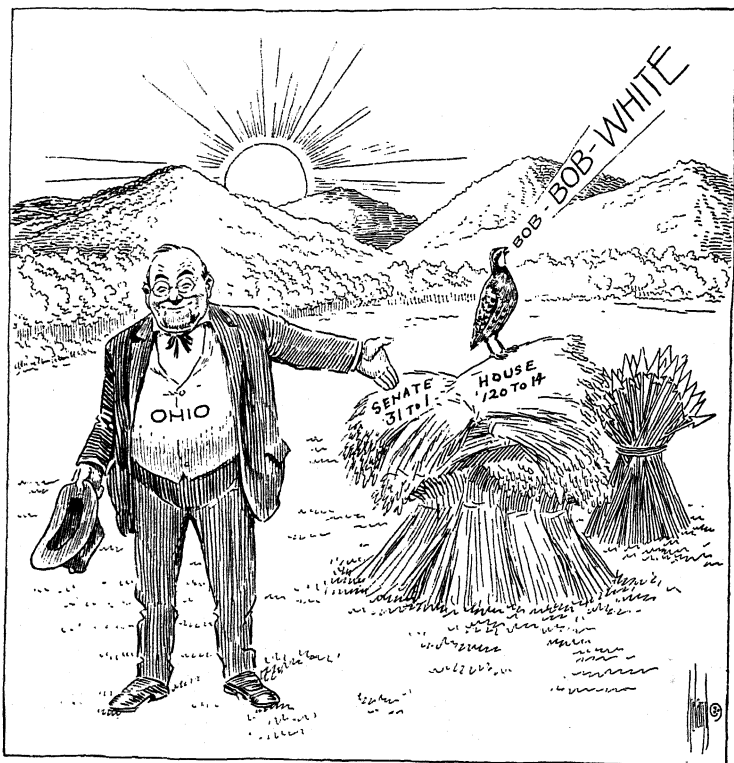
In all states save a very, very few, the bird-killing laws have been framed to please "the sportsmen," and passed by their consent. In 1917, egged on by the people of Ohio who objected to seeing the Virginia quail species completely exterminated in Ohio, resolved to do something about it themselves. When I was asked for a public expression that would help to save the quail of Ohio I brutally wired back these words:

"You are too late. Ohio has no quail to be saved. Your opportunities are gone. Your quail are practically all dead, and nothing that you now can do ever can bring them back."

That was published in some Ohio newspapers. The Columbus *Dispatch*, and its brilliant cartoonist, W. A. Ireland, jumped into the ring, and oh, man! what a fight they put up! It was to put the quail of Ohio in the songbird list, for *perpetual protection*! The like never had been done before. Observe the sample Ireland cartoon reproduced herein.

The newspapers and farmers of Ohio did it. The wave of indignation that they stirred up swept the organized sportsmen completely off their feet. It was the most savage retribution that I ever saw carried out in terms of bird protection.

According to the speech of "Jim Marsh," in Mr. Lytle's book, in the period immediately succeeding the passage of the songbird law for quail, the sportsmen of Ohio obeyed the law. Then they grew tired of it, tried to have it repealed, and their repeal bill was flouted in the Legislature.



OHIO ANNOUNCES HER QUAIL VICTORY  
By William A. Ireland in *Columbus Dispatch*.

Finally, the Ohio sportsmen (or at least *some* of them) became very angry at the quail law, and began to "take it out" of bobwhite. And this is the description that Big Jim Marsh gave (page 278) of what had happened, and was, and would be happening, to the quail of Ohio under the songbird law:

"The maudlin sentimentalists may mean well, but this group never does make a practice of weighing the facts. It is not a question of protecting the quail. The sportsmen, to whom they mean the most, are the ones to give them real protection in return for the privilege of a few days' sport afield with them each year. The facts are that *we are killing quail in this state today, even though they are theoretically protected. The facts are that we shall continue to do so in spite of all hell and damnation. The facts are that the law cannot cope with the situation, it has gotten beyond that. The facts are that a legal open season would actually save the birds.* It would place the killing period within definite limits. Today the fellows shooting quail have *no bag limit, and no 'closed season.'* And there isn't a real game warden in the state who is himself in sympathy with the present law, which in itself tells a big story. All in all, the people back

of the 'songbird' law have not, and *cannot* accomplish their purpose. Furthermore, the longer the present situation drags on the worse it will get.

"Will we here ever have legalized quail shooting again? I have said that I don't know. But I do know that we CAN—if we WILL. And the answer lies very largely in what may be the active outcome of our getting together here tonight. Let's buckle up our belts and put it over."

But in spite of the illegal quail hunting so forcefully acknowledged and insisted upon by Mr. "Jim Marsh," the census figures of quail in Ohio recently published by E. A. Preble in *Nature* magazine show that the quail are increasing in that state. We quote them elsewhere in this volume.

For the future, the quail of bobwhite's 35 original home states are going to fare all sorts of ways. In the great majority of states, the species will hang on to the edge of existence by the few scattered remnants that can find cover and food coming together, and no cats, foxes or skunks. The remnants will be so few and inconspicuous that the hawks and owls cannot find them. In the hard-boiled states the sportsmen never will consent that the quail shall have permanent protection. And yet, in most states *that is precisely what they should have*.

As a sport in the northern half of its original home range, quail shooting is just about as dead as "woodcock shooting," or heath hen hunting! When quail are so scarce that it takes from 10 to 100 bold hunters to get one, you may mark them "Down and out." Said a Long Island resident to me last year, with a snort of indignation,

"'Quail' on Long Island? Huh! There isn't one d—d quail within 50 miles of my place. And there used to be thousands."

#### OUR HUNTERS HAVE MORE THAN DOUBLED IN TEN YEARS

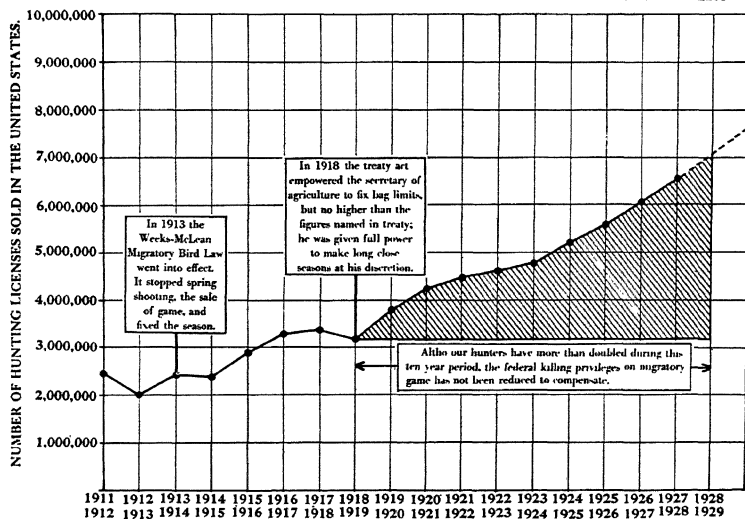


DIAGRAM OF ANNUAL INCREASE IN LICENSED HUNTERS

By William Nesbit. C. E.



Certain enterprising western states are trying hard to protect their quail, and bring up the supply to a point of abundance. The state of Oklahoma is now beginning a big push in that direction. Her game commission proposes to make all Oklahoma into a big quail preserve—by making a large number of special breeding sanctuaries planted with crops of quail food, endowed with plenty of quail shelter, and watched over by an army of devoted protectors, paid and unpaid. Surely all this will produce a great crop of good results.

The clearing out of brush cover from farm wood lots, all over vast areas, has been a terrible blow to quail. The chances are that mighty, mighty little of the lost brush, and mighty few quail, ever will be restored. Of quail hunting in America, only traces will remain—twenty years from now.

*Iowa's Vanished Cover for Birds.* On May 28, 1927, I had an opportunity to watch for Iowa birds for one-third of the way across the state of my boyhood. My zone of observation territory ran through very fertile farming country, which was reasonably well wooded with farmer's wood lots. Full daylight came at Cedar Rapids, and from there to Ames, over just 100 miles of the Chicago and Northwestern, I did nothing but look for birds.

It was a region of intensive farming. Wire fences had taken the places of the rail-made worm fences, and the osage orange hedges. There were no miles of friendly fence corners, with weeds and brush to shelter and to feed farm birds. Worst of all, the wood lots were destitute of brush, and the natural plant growth of every pastured forest floor. The wood lots were open, as if to let in sunlight, and they were grassed just like so many lawns. That meant grazing cattle. Where could the ground- and bush-nesting birds find places to hide their nests, or find weed seeds for food? The birds were starved out!

That was in a warm and lovely May. A lot of birds should have been moving about; but of course I could not see from a moving train any nesting birds. From Cedar Rapids to Ames (100 miles) I saw precisely three birds, a crow and two red-winged blackbirds; and that was absolutely all that our moving train revealed.

*Conclusion.* It is unnecessary, and useless, to offer any advice or directions for the salvage of any quail. Bobwhite's managers think that they know all about it. I am quite convinced that the insatiable quail-killers will, by hook or by crook, keep the Virginia Quail shot down to the very edge of extermination. Collectively, we are all so hopelessly foolish that we never will see the utter folly of thinking that every yahoo in the United States, even up to 10,000,000, MUST be turned loose every year, *to kill all the game he can kill*, for a pusillanimous license fee that means just plain robbery of all the people who do not hunt and kill game.

The tragic fate of the Heath Hen species of Massachusetts soon will overtake bobwhite. The Bolshevistic spirit of "do-as-I-damn-please" already is wrecking the peace and happiness that existed in the United States only twenty short years ago. The native American is now too soft and too timid to cope with it, put it in its place, and keep it there. Already it is "per se," a case of "Down, Eros! Up, Mars!"

## CHAPTER X

### THE BAD ETHICS OF LIVE DECOYS

Even at this "civilized" day, the unfair advantages practiced by man in hunting game are very numerous in kind, and some of them are very low in quality. In this line of endeavor civilized man beats the savage at all points.

Some of our brutal methods of game killing have been handed down to us by our cave-men ancestors. Many others—and all of the worst ones—we have invented for ourselves.

Nobody knows just when it began, but for many years the lord of creation—man—has made use of birds to entice and decoy their own species to death by the guns of men. The thought is rather shocking. The basic principle on which it rests is sternly forbidden by the Bible. The Jews of ancient times drew the line at the mixing of goat milk with goat blood in the chafing-dish. The Jewish law said:

*"Thou shalt not seethe a kid in its mother's milk."*

The training of captive geese and ducks to render compulsory service in calling to and luring to death their own blood relatives is an improper and repulsive procedure. Ethically, nothing whatever can be said in its support. It is a confession of weakness, and of incapacity in the perpetrator to outwit his game by his own unaided efforts.

The live-bird decoy industry in enticing game is general in Massachusetts, and in central California. The California development has for several years been widely known. Through long practice, the Massachusetts industry has modestly remained in the background. For six years I have had in my file a long and well-written account of the Massachusetts practice, illustrated with photographs, but I have had so many other issues to advance that until now I have been forced to let that abuse lie over for a good opportunity.

#### *In Massachusetts.*

Now, however, Dr. John C. Phillips has lifted the lid from the Massachusetts situation by printing the whole story of live decoys in his book on "The Shooting Stands of Massachusetts," which anybody can obtain of the Massachusetts Fish and Game Association for \$6. We venture to quote a few figures from this really elaborate work:

"It might be interesting to note here that between 5,000 and 6,000 live Canada Geese are in use today as goose decoys in Massachusetts. Of duck decoys there are somewhat less, say a little under 5,000. And in this estimate I include only the duck decoys that are used in permanent stands. Many more are kept for occasional use in temporary blinds.

"In the old days a team of 15 or 20 geese was large. Now 50 to 100 is the usual number and at Widgeon Point, Silver Lake, in Tom Arnold's time, 300 to 400 were in use. It was a marvelous sight to see them put 50 or 60 flyers into the air at one time.

"The annual bag of Black Ducks which are reported taken in the ponds and permanent stands along the coast is about 10,000 birds, probably ranging even today as high as 16,000 on good years like 1921. The average number of stands reporting to the state in the six years, 1921 to 1926, is just over 100. Actually there are a good many more than this, but, as I said before, they are not obliged by law to render any returns. I would put the number at about 180 to 190 for the season of 1928.

"The stand gunner is, to say the best of him, a picturesque creature teeming with pond-lore and weather-wisdom, half goose, half philosopher. At the worst he is a lazy, Rip Van Winkle sort of chap, carrying about with him a disdain for all things modern, and having not improbably a taste for drink. As a rule he is harmless, though more or less frowned upon by upland shooters of a more sprightly and progressive type. His long suit is patience, and he lives from week to week hoping for a big storm which never arrives, or a great shot that he surely will pull off if he lives long enough. He sees many things as he leans over the board fence of his blind, things that happen in nature only at rare intervals, and he has some tall stories of such remarkable happenings, many of which are true.

"The typical Massachusetts goose stand consists of a camp large enough to sleep and feed six or eight men, usually built on the pond shore directly back of the stand fence or "breastworks." The breastworks often extend along the pond shore for some distance on both sides, and it is customary to keep the duck beach more or less separate from the goose beach. This beach, which is artificial, may have one or two considerable points. It is sand-covered in most cases, and used primarily to peg out the decoys so that they will show better from off in the pond. The beach also serves to keep wild geese or ducks from getting in too close for a shot during the night. It is a kind of common meeting ground and washing-up place for all the live decoys, and much care is lavished upon it.

"Some decoy geese are also kept in the stand, mostly the old mated pairs, while *the goslings or flyers* are in pens on higher ground, back of the camp. In some places *special platforms are built to fly them from*. Most of the flyers are only first season birds, but they will work just as well at two years of age, and occasionally at three or four years. The front of the fly pens are made to lift up, or drop down, by pulley lines which run back to the stand. In a few camps *electric devices are used* to open the pen doors. In this way the gunner can get his flyers out over the water in a few seconds after he locates a flock of geese in the air.

"There is another great change. The practice of baiting ducks did not become common in the state until fifteen or twenty years ago. It has now greatly modified the shooting for Black Ducks in the Cape ponds. Some places have far more ducks than they ever did before, while others, of course, have less. Growls are to be heard from the less fortunate."

The social life of a Massachusetts ducking "stand" is a subject by itself. It is designed to make the daily life of the gallant goose hunter not only free from the ordinary horrors of war, but even easy and pleasant. The chairs and beds are comfortable, the cards and checkers



INTERIOR OF MASSACHUSETTS GOOSE KILLING PLANT

Goose hunting de luxe, with hundreds of live decoys, 80 dead geese hanging. It beats the Italian ROCCOLO for netting song-birds.  
Photo from George B. Frazer, Duxbury.

and craps are mildly alluring, and even the eating is passably good. The social circle is more or less genteel, and the cheerful liars are at least stimuli to idle thought.

When the brave and hardy watchers on the outposts signal that the flock of goslings has been let fly to loop the loop, and that some honkers are coming in, the bold hunters gently lay aside their cards and dominoes and jack straws, firmly grip their trusty weapons, and go sneaking along behind the board fence to their allotted holes. There, each one finds a crackerbox, or a stool, awaiting him. There he sits down, shoves the muzzle of his automatic through the hole, and waits for the geese to alight upon the golden strand, thirty feet away.

When the geese have thus lit, the hardy sportsmen let them have it.

The photograph of the interior of the Pembroke ducking stand, shown herewith, furnished by George B. Frazer of Duxbury, Mass., reminds me of the deadly roccolos of the Italian killers of songbirds for the markets of Italy. The outfits of the two institutions are quite the same in kinds. The death house is formed of green-growing shrubs and vines on lattice work—frightfully deceptive to wild birds. The net of the Italian is represented by the guns of the American habitants. The Italian killer of skylarks, linnets and thrushes, called by *blinded* decoy birds, is paralleled by the hard-boiled American with his flocks of hundreds of decoy geese, goslings and ducks. The quality of sport is not quite the same at both ends of the line, but it is sufficiently near to call it "Great Sport." You will find the Italian roccolo fully described and pictured in our other book, "Our Vanishing Wild Life," page 95.

Let us now turn to California, the land of ducking clubs, and "bag-limits \$10 each," the land of game-hog photographs, "rest days," and bootlegging sale of game. Of course, the use of live decoys, and the baiting of shooting grounds and waters prevail there. Let us see what these things mean when at their worst. Here is an eye-witness description, written by a friendly but participating hand, absolutely without malice, and printed in a magazine friendly to sportsmen:

In *Field and Stream* for February, 1929, there was printed a well written and well illustrated article on "Outguessing the Ganders." The place of exposition was California, and wild geese were the victims. The sportsmen went to—let us say the Buttonwillow country—each one paid his \$10 and was given a barrel-like hole in the ground in which to crouch, rise, and fire over the circle of hundreds of live wild geese, there placed to lure down from the air deluded flocks of their own kind. The following extracts from the excellent text of Col. Edward L. Munson graphically relate the salient facts of the story:

*The Goose-Killing Story of Col. Munson.*

We find ourselves at the edge of an immense field of barley stubble, already pastured by sheep. Here the geese fed in great flocks yesterday. Following goose custom, they will return today. Half a mile away the decoys, living and counterfeit, loom up as a vast flock on the level expanse.

Now comes the goose army, in numbers almost unbelievable. It grid-irons the southern sky with squads, platoons and companies on common

bent. There swing great wavy lines of snow geese, less orderly rabbles of the white-fronts, wedges of Canadas driving black against the sky. Flock follows flock as far as the eye can see. We look to our guns, lay extra cartridges handy, and huddle down. The leaders see and hear our decoys, and swing the winged hosts our way.

Tumult breaks out among our decoys. Heads up, they run about and flap their pinioned wings and call. One old goose has been a decoy for thirty years. Siren-like, she has helped lure thousands of her kind to destruction. Now, as her call leads all others, one would like to have her blandishments interpreted. The clamor is deafening. Out of the heavens comes a chorus of answers as the leading flock sets its curving wings to volplane down.

We have hunted geese, the wariest birds that fly, through many years and diverse circumstances. With rare exceptions, they have seen or heard us first.

But today, things are different. These hundreds of live decoys are irresistible attractions and allies. The futility of a "wild goose chase" may be proverbial, but here the geese are coming to us.

The guide requires that none shall shoot until he gives the word. Obedient, we crouch motionless as the great birds defile before our eyes. We sit like stones while they swing around in shortening circles. They sweep in from behind, and the rushing of their wings makes a noise like tearing silk—and still we do not move to look. Their cries and greetings to the decoys ring in our ears like nearby trumpets. Again they circle, looking as big as winged barrels.

At last, satisfied, the strident commands change to contented chuckles as, with necks stretched out and feet dangling, they head in against the wind. The great moment has come. We rise in our pits and open fire, and birds fall here and there along the line. (End of the quotation.)

#### OTHER HUNTING CONDITIONS ON OUR ATLANTIC COAST

From *Plain Truth*, No. 3, Dec. 7, 1929.

Maryland has a fine State Game Warden—Mr. E. Lee LeCompte. He is not afraid to let the public know what Maryland game conditions really are, and how much the game is contributing to sport with the gun in that state. And furthermore:

So far as we are aware, Mr. LeCompte is the only State Game Warden in America who has had the industry to compile a list of his state's hunting clubs with some records of their dead ducks, and the courage to print it all for public information.

And why, I ask pointedly, have not some other state game commissioners done the same thing? In New York, Massachusetts, the Carolinas and California, show me the outsider who to save his soul can get the names and addresses of the ducking clubs, and their members, and the total of each club's annual kill of ducks? In the Carolinas—reeking with clubs—the devil himself could not get that information; because it is as carefully guarded as the account books of the bootleggers.

The State Game Department of Maryland publishes a highly inter-

esting, instructive and helpful quarterly magazine called *The Maryland Conservationist*. Several other states admirably do likewise; and we salute each one of them. At this critical point in the history of migratory bird extermination (or preservation?) members of Congress and all friends of wild life surely will be interested in the following pertinent facts of wild-duck lore and club information, quoted from *The Maryland Conservationist*:

### DUCK-KILLING METHODS

By George L. Hopper

*Remarkable that any Survive.* When we consider how accessible the Susquehanna Flats and ducking grounds are to the most densely populated section of this country, so that sportsmen living as far north as Boston may leave their homes and business at nine o'clock in the morning, and reach the Susquehanna River in time to make all necessary preparations for the next day's shooting upon those flats; when we more fully realize what a continuous annual slaughter of those ducks has been taking place ever since the first settlers, it is a wonder there is a single duck remaining to return to those winter feeding grounds.

Not only have these ducking grounds been accessible to all the sportsmen of the East, but sportsmen from all parts of the world have made passing visits to those ducking grounds for a day's shoot.

More than 100 bushwhack or sneakboats, and 75 single and double sink-boxes, were licensed by the county authorities bordering on the headwaters of the bay the past season. Under the most unfavorable conditions in years, more than 5,000 ducks were killed on November 4, the first day of the present open season. (In November, 1930, the expenses of a prominent New York sportsman for a one-day shooting trip to the Susquehanna Flats footed up to \$63; and the day's bag consisted of five ducks.)

*Fair and Foul Methods.* Every method, *fair and foul*, has been devised to decoy and capture the ducks upon these feeding grounds. The tolling Chesapeake retriever, shooting over baited grounds, shooting from blinds, bushwhack or sneakboats, and sink-boxes—all of which have been legitimate according to the local laws; while the market hunters in the past have resorted to every foul and unlawful device, the swivel gun and gill net at night being the most unsportsmanlike. They skillfully set a gill net at some favorite feeding place, during the night, in such a way that the ducks' heads become entangled when in the act of diving for the roots of the wild celery, and they are drowned by hundreds. Selecting a calm, cloudy night, a proper time for such depredations, with a swivel gun (big gun) charged with a quarter of a pound of powder (black) and a pound of shot, they fairly slaughter the ducks while feeding. Ducks can be heard feeding on such a night a considerable distance. It sounds like the rippling of a small stream. Lying flat upon his stomach in the bottom of his shallow boat, constructed for the purpose, with two short paddles, the gunner cautiously approaches the unsuspecting ducks until within a few yards. Then he knocks the side of the boat with a paddle, pulling the

trigger with the other hand as the ducks are making their first spring into the air, crippling as many as he kills.

(In the above paragraph Mr. Hopper accurately describes the English prototype of this American Wild Fowler—a market hunter of the worst type—after whom a new conservation society has been named!—W. T. H.)

*The Sink-Box an Expensive Luxury.* The sink-box and its equipment is undoubtedly the most expensive "layout" which a duck hunter can possess, requiring from three to five hundred decoys, and a crew of three men to man the yacht and look-out boat. Shooting from a sink-box, over so many decoys, is the most magnificent and exhilarating of all such sports. A good shot from a sink-box, like old Captain Bill Dobson, the greatest shot from a sink-box that ever lived, can do wonderful execution. Not until they had turned and drew within hearing, did he begin talking to them, by chattering like a female duck, when it is feeding contentedly in some safe and secluded place. He always had three guns, one on each side of the box, and one in his lap. He could operate and discharge three muzzle-loaded guns successfully upon a darting flock, killing the last ducks well within bounds. With his old muzzle-loaded guns, he has been known to bag nearly 500 canvasbacks and redheads in a day's shoot. On one occasion I saw a flock of 11 canvasbacks dart to his decoys, and not one came out. He did it with five shots.

(End of the quotation)

#### THE APPEAL TO MORAL SENTIMENT

If the moral sentiment in the breasts of American people does not ultimately bring the observance of law, the stoppage of boot-leg buying and the adequate punishment of crime, this Nation is doomed to collapse and disintegration.

If individual moral sentiment and the urge for square dealing does not rescue the game of North America, nothing ever will save it from the total annihilation that now is in progress.

A nation in which respect for law and the love of justice is dead in the breasts of the majority is not fit to survive.





AN AMERICAN SPORTSMAN'S COLLECTION OF AFRICAN GAME TROPHIES

## CHAPTER XI

### SHOOTING NOT WISELY BUT TOO WELL

Many good men shoot game not wisely but too well. The independent citizen is notoriously a creature of impulse. In the presence of "millions of dollars" to be made, or "millions of game" to be killed, many a good citizen loses his head, loses his sense of proportion, and all suddenly becomes an excited extremist. Not all men are as bad as they look. Many a good reputation has been blown off the map by sudden hysteria, and the exaltation of desire for "more." It takes a strong moral constitution to go out well heeled, meet "millions" of game, and not be betrayed into too much killing. This note of warning has been sadly delayed in transmission. *Be careful!*

One of the most amazing and disturbing factors in the psychology of "civilized" man was his perfectly damnable savagery, and lust for innocent blood, in the first third of this twentieth century. Although millions of good people are today doing their utmost to put this horror behind them, to cover up its ugly face, and "think about pleasant things," it would be to the advantage of the human race to grapple with this seven-headed dragon, and either control him or kill him. When an armed bandit hardly out of his teens can invade the apartment of a solitary and defenseless woman, bind her, gag her, and for half an hour torture her with blazing matches because she has neither money nor jewelry "lying around for us," the opponents of the death penalty, and the long distance eliminators of crime by "education" and "better environment" become dangerous citizens.

The horse sense of many American judges and jurists, and of many lawyers of the present day, seems to have ceased to function. There is a lot of academic talk about "crime"—but what does it all amount to? Ours is the worst crime-ridden nation on this earth—so far as heard from.

The devilish greed and savagery of about 10 per cent. of the "civilized" races of men is directly responsible for the bloodiest, most brutal and most unforgivable of all wars. It is the root of the crime industry in the United States, and the cause of the progressive collapse of Soviet Russia and China. In North America and Europe for sixty years it has been manifesting itself in the merciless slaughter and waste of game-and-non-game birds, beasts, creeping things, and fishes. On the seven seas we behold the appalling destruction, by the most savage mechanical means, of the whales of the world—which will continue until the last whale is dead.

Before this awful background of man-made cruelty—only a little of it inherited from our cave-man ancestors—we are now engaged in a desperate fight to save some of the remnants of our fast vanishing wild life.

In America, we must give ourselves credit for our nation-wide refusal to chase with huge packs of dogs, and harry, and tear to pieces *live*

deer—both bucks and does to make gay and spirited holiday “pleasure” for ladies and gentlemen! We do not find supreme pleasure in galloping over fields of growing crops, running foxes to earth, then digging them out and throwing them to the hound packs to be torn to pieces while Ladies and Gentlemen look on. We do not torture to death helpless otters or badgers for “sport.”

No; we do things to game a bit differently from the sport methods of the all-highest ones. We exterminate our game like gentlemen—by shooting. Our remnant quail coveys are gently and genteelly shot up, “to scatter them, and make them breed better.” This awful quail disease called “in-breeding” must at all costs be prevented by shooting. The birds enjoy it. For years the quail shooters of the National Game Conference have been teaching the quail that the destruction of coveys is solely for “their own good,” and what more can any reasonable quail ask!

The big killings of game before the days of laws and bag-limits swept millions of quail, grouse, ducks, and geese, pigeons and shore birds to their death, and many to the compost heap. For years the markets of the big cities were “glutted” with dead game, in all stages of decay. An annual-game-gorge dinner was for several years given in a famous Chicago hotel by a famous trencherman which once a year made the Gormandizing Emperor of Ancient Rome look like a piker. Seventy different dishes of alleged “game” on one gorge sheet was his annual ambition.

The period of utterly senseless game slaughter in the United States extended from 1870 to 1890; and by that time the millions for the game-markets were gone. The farmers who permitted the hired Hessians of the game markets to shoot up everything on their farms found that they were fools. The state legislators who saw this orgy of slaughter, and did nothing worth while to stop it, also were fools. And that wave of criminal folly covered all the eastern half of the United States, from the surf-edge of the Atlantic to the eastern edge of the Great Plains. As an illuminating spotlight on that chapter of extermination, consider the following eye-witness testimony from the not-so-very-long-ago past.

*Chicago's Half-Century of Game Waste.* It was just about 1850 that the growth of Chicago developed that city as the greatest center for the sale, consumption, and waste of game that existed anywhere between New York and San Francisco. Over an immense midwestern area, Chicago was the hope and trust of the armies of market hunters who, away back in the fifties, began to comb out all edible game from that well-stocked territory. Until their game was really gone, the stupid farmers and land-owners permitted the pothunters for Chicago to do to the game exactly as they pleased.

The best and most illuminating bit of history covering that gesture in extermination is a short article by Mr. H. H. Kohlsaas, of Chicago, entitled “The Greatest Game Market in the World,” which was originally published in the Saturday Evening Post of August 26, 1924. At this almost-gameless day it is well worthwhile to publish anew some of that history, lest we forget. After describing the abundance of game once found in close proximity to Chicago, Mr. Kohlsaas said:

"The surrounding prairies abounded in game. Old Chicagoans have told me they could walk a mile from the corner of Dearborn and Washington Streets, and shoot prairie chickens and quail. One of our earliest settlers told me some fifty years ago that he shot wild ducks on a small pond on the site of the present City Hall."

"South Water Street was the greatest game market in the world. Commission merchants garlanded the fronts of their stores with long strings of ducks, prairie chickens, quail, and so on. Bear and deer were hung up on hooks, as lambs and dressed beef are today.

"In the late '50's game was so plentiful it was given away by the hunter to his friends and was sold in the markets at almost nothing—prairie chickens five to ten cents apiece, quail two for five cents.

"The Chicago papers previous to 1873 did not publish, as far as I can find, the market price of game. The files of *The Inter-Ocean* from 1873 to 1886 quote the following prices:

|                      |               |                  |               |
|----------------------|---------------|------------------|---------------|
| Woodcock .....       | \$3.00 a doz. | Partridge .....  | \$2.25 a doz. |
| Prairie Chicken .... | 3.50 " "      | Jacksnipe .....  | 1.25 " "      |
| Mallard Duck .....   | 3.00 " "      | Quail .....      | 1.37 " "      |
| Canvasbacks .....    | 6.00 " "      | Wild Geese ..... | 4.50 " "      |
| Teal Duck .....      | 2.00 " "      | Turkeys .....    | 1.00 apiece   |

"Bear in mind these prices are after the country shipper had paid the hunter, made his own profit, the South Water Street merchant had paid the express charges and deducted his commissions."

And then followed a carefully-composed description of the great annual game dinner given by John B. Drake without a break for 38 years, 1855 to 1893, to the most distinguished men and women available. The menu card of Nov. 22, 1886 is an excellent index of the thoroughness with which every game species of the middle West, from the Atlantic Coast to the summits of the Rocky Mountains, paid tribute to the game-eaters of Chicago. Contrast it with the solitary English pheasants, tinamou from Argentina, and ptarmigan from Norway, that on rare occasions are available today.

"Saturday night before Thanksgiving Day, 1885, John B. Drake, proprietor of the Tremont House, at the corner of Dearborn and Lake Streets, inaugurated the custom of giving a game dinner, which he carried out for thirty-eight consecutive years.

"Even the great fire of October 8, 1871, did not deter Mr. Drake. That year it was given in the Michigan Avenue Hotel, corner of Congress Street and Michigan Avenue, which Mr. Drake leased fully furnished while the Tremont House was burning, it being the only hotel in the downtown district to escape the flames.

"Mr. Drake renamed it the Tremont House, and managed it until 1874, when he leased the Grand Pacific Hotel, of which he was the proprietor until it was partly torn down to make way for the Illinois Trust and Savings Bank in 1893. Mr. Drake died in 1895.

"The dinner was the event of the year. Notables from abroad and

notables at home were sure to be guests. Among them were Long John Wentworth, mayor for several years; Gen. U. S. Grant, Gen. Phil Sheridan, Ex-Mayor Carter H. Harrison, Sr., Senator Stephen A. Douglas, Philip D. Armour, Mr. and Mrs. Marshall Field, Mr. and Mrs. George M. Pullman, Mr. and Mrs. Potter Palmer, etc., etc.

"Nearly every wild bird and animal that was fit to eat was on Mr. Drake's bill of fare."

The following is a menu card printed in the Chicago Tribune of November 22, 1886. It is headed:

#### PROCESSION OF GAME

##### *Soup*

Venison (Hunter Style)

Game Broth

##### *Fish*

Broiled Trout, Shrimp Sauce  
Baked Black Bass, Claret Sauce

##### *Boiled*

Leg of Mountain Sheep, Ham of Bear  
Venison Tongue, Buffalo Tongue

##### *Roast*

Loin of Buffalo, Mountain Sheep, Wild Goose, Quail, Redhead Duck, Jack Rabbit, Blacktail Deer, Coon, Canvasback Duck, English Hare, Bluewing Teal, Partridge, Widgeon, Brant, Saddle of Venison, Pheasants, Mallard Duck, Prairie Chicken, Wild Turkey, Spotted Grouse, Black Bear, Opossum, Leg of Elk, Wood Duck, Sandhill Crane, Ruffed Grouse, Cinnamon Bear

##### *Broiled*

Bluewing Teal, Jacksnipe, Blackbirds, Reed Birds, Partridges, Pheasants, Quails, Butterballs, Ducks, English Snipe, Rice Birds, Red-Wing Starling, Marsh Birds, Plover, Gray Squirrel, Buffalo Steak, Rabbits, Venison Steak

##### *Entrees*

Antelope Steak, Mushroom Sauce; Rabbit Braise, Cream Sauce; Fillet of Grouse with Truffles; Venison Cutlet, Jelly Sauce; Ragout of Bear, Hunter Style; Oyster Pie

##### *Salads*

Shrimp, Prairie Chicken, Celery

##### *Ornamental Dishes*

Pyramid of Game en Bellevue, Boned Duck au Naturel, Pyramid of Wild-Goose Liver in Jelly, The Coon out at Night, Boned Quail in Plumage, Red-Wing Starling on Tree, Partridge in Nest, Prairie Chicken en Socle

"With my family I lived at the Grand Pacific Hotel in 1885-6 and can still remember the last of the game dinner a week or ten days later as Hunter's Soup."

As far along as 1888, I saw in Salt Lake City in the possession of a knave who knew not what to do with them, a lot of about 250 flat skins of little spotted mule-deer fawns, all of which must have been killed and skinned within a week of their birth. No. No punishment was possible!

And in Denver, in that same year, I purchased 150 headless tanned skins of the (even then) exceedingly rare and *almost unknown* Rocky Mountain goat, at 75 cents each! At the Louisville Exposition (1888) we displayed that pyramid of worthless goat skins *in the first exhibit ever made to show the most wicked side of the destruction of American game.*

*Cases.* Out of the thousands of cases of game-hogism, and dirty and cruel treatment of American game, that might be cited in a chapter like this, we can give room to only a few that illustrate the spirit of some classes of men toward some of our remaining remnants of wild life, game and not game. There is no animus whatsoever in the publications of any of the following items of news, chosen at random from widely separated localities. Each one throws a light of its own upon the treatment now being accorded game in the regular course of our present-day conservation.

*In Louisiana.* The champion game-hog records for 1928 come to us from Louisiana, where in December, 1928, a party of 8 gentlemen sportsmen and 2 negroes was corralled by the officers and wardens of the Louisiana State Conservation Department, of which our valued ally, Stanley C. Arthur, is Director of the Wild Life Division. The gentlemen sportsmen in the case were caught with 656 unlawful dead geese "upon them." The carcasses filled 9 barrels, and "weighed nearly two tons." The fines paid by the 8 white men ran from \$25 to \$500 each, and totaled \$1875.

*In Missouri.* A shocking case of a hunter's savage destructiveness of distressed and helpless wild animals comes to us just now from Missouri. It is broadcast (as a Horrible Example?) by the Missouri State Game Commission's monthly magazine, "Game and Fish News," for January, 1929.

The perpetrator of the deed is one George Pearson, of Arrow Rock, Missouri. In a letter for publication he tells all about his doings, for the purpose of attracting admiration, and to establish his claim to a record for number of rabbits killed by one shot. The slaughter was made possible by a flood, which drove the imperiled wild animals out of their homes, to avoid drowning, regardless of other dangers.

George Pearson's own letter tells how he and "a hunting friend" killed 75 flooded-out rabbits with 90 shots; and how, later on, finding 17 rabbits *marooned on one floating log he* (Pearson) *lined them up and killed 15 of them with one shot!* "Then we came to a pile of willows, in which we killed 22 rabbits, 25 mice and 2 moles. Now this is a true story," says George Pearson, of Arrow Rock.

*In Southern California.* The San Diego Union of Jan. 27, 1929, in a full-page article by H. W. Keller (a California sportsman), shows a thorough appreciation of game disappearance, and its causes. An enumeration of the "Causes of Reduction" begins with "Unlimited market hunting" some years ago, and now "*failure to protect the remnant by shortened seasons and bag limitations.*"

"Complete revised figures," says the Union, "of the duck hunting in San Diego County in the late open season (1928-29) shows a grand total

of 145,007 dead ducks. Had the bag limit been 15 per day, or 30 per week, this huge kill would have been reduced nearly 60,000! . . . Sportsmen everywhere are demanding a lower bag limit on ducks."

In 1928-29, the members of the Gustine Gun Club of central California killed "over 16,000 ducks"; but the news adds that the Club's members desire lower bag limits, and that many of them voluntarily have reduced their shooting to 15 birds per day.

*In the Carolinas.* In New York it is reliably reported that the club duck-killers of the Atlantic Coast are getting rid of their surplus stocks of dead ducks by neatly packing them in cartons, and shipping them north by U. S. mail parcel post.

*In Oregon.* In a long editorial article in *Western Out-of-Doors Magazine* for May—R. H. Kirkwood, editor, Portland, Oregon—bitter complaint is made of the systematic, secret and widespread illegal sale of game in Oregon by bootlegging methods. Says the article:

"It may surprise some of our readers to learn that 'market hunting' of ducks is extensively carried on in Oregon. The offenders, almost without exception, are prominent in sport circles, are men of wealth and social standing, and all belong to one or more duck clubs. They are bootleggers of game, and their methods are similar in many respects to those employed by the common or garden variety of bootlegger. . . . Each market hunter has his own secret list of customers, and some have been serving the same people for years. Most transactions are made on standing orders secured before the season opens . . . at a dollar apiece (for the larger varieties of ducks and less for the smaller ones), any time during the open season.

"Some of these 'sportsmen' leave the ducks at the homes of their customers, ostensibly as a 'gift,' and call around later for the money. Others leave their kill at a butcher shop or market, later calling at the homes of their customers to make collections. Very rarely is money passed at the time the birds are delivered. One club is said to supply a Portland hotel regularly with ducks throughout the season. It is a wealthy club, and spends much money in feeding and caring for the ducks that swarm in. . . . The hotel has three or four runners, each supplied with a cheap shotgun and each armed with a hunting license. These runners sometimes make as many as three or four trips to the lake on shooting days, in a light truck or automobile, bringing away the full limit each trip, while the hunters remain in the blinds, killing the ducks as fast as they come in." (Limit in Oregon at that time, 25 per day, for 3½ months.)

I now invite the attention of thoughtful men and women to this editorial story that appeared on Nov. 21, 1928, in the *Eugene, Oregon, Register*. It is reassuring to observe that even in its own locality this occurrence is severely censured by an Editor with a Heart.

### THE OLD ELK IS SLAIN

An exultant dispatch comes down from Lewiston, Idaho, which tells of the slaying by hunters of "Old Webhorn," a battle-scarred king of a herd of elk in the Idaho mountains for a decade past. For years the elk had outrun, outguessed and

outmaneuvered the hunters. They were legion. He was but one. He sought but to be allowed to live. They were fired only with the lust to kill. They did not need his meat. He was old and tough. Better steaks than his could have been bought at any market for a fraction of the cost of the ammunition that was wasted in fruitless shooting at him. Says the dispatch:

Long known as the speediest and most cunning of the herd which roamed the Salmon river country, legends grew about this monarch of the mountains.

Scores of hunters who sighted him shot at him, and some even, who had wounded him, brought back half-believed tales of his magnificence. But he was tracked to his covert on November 13, and B. E. Callison and a party of hunters of Kendrick, Idaho, boasted they had achieved where many had failed. His one eye dimmed by years of watching, his legs grown stiff with age—one from a bullet wound received long ago—he fell before a volley of shots.

The marks of his long struggle with life were upon him. One eye had been shot out. Half of one ear was gone, a silent witness to marksmanship. One knee was swollen to the size of a gallon bucket. His hide was creased with scars from a dozen glancing bullets.

His crown of horns had 36 prongs.

So he fell before a volley of shots. What a brave sight! A poor old one-eyed elk, crippled beyond ability for further effective flight. One knee swollen to the size of a gallon bucket! His hide marked with old bullet scars! What a brave, what a very bold, party of hunters they must have been! The dispatch says that they "boasted they had achieved where many had failed." They rushed to tell the newspapers the gallant thing they had done. They dilated on the fact that the old elk's crown of antlers had 36 prongs. They swelled their chests as they recounted in detail again how they had surrounded the old half-blind, badly crippled but still majestic monarch of the forest and by their combined gunfire killed him. Better might they have hidden the mangled body and crept shamefacedly to their homes by separate ways.

\* \* \* \* \*

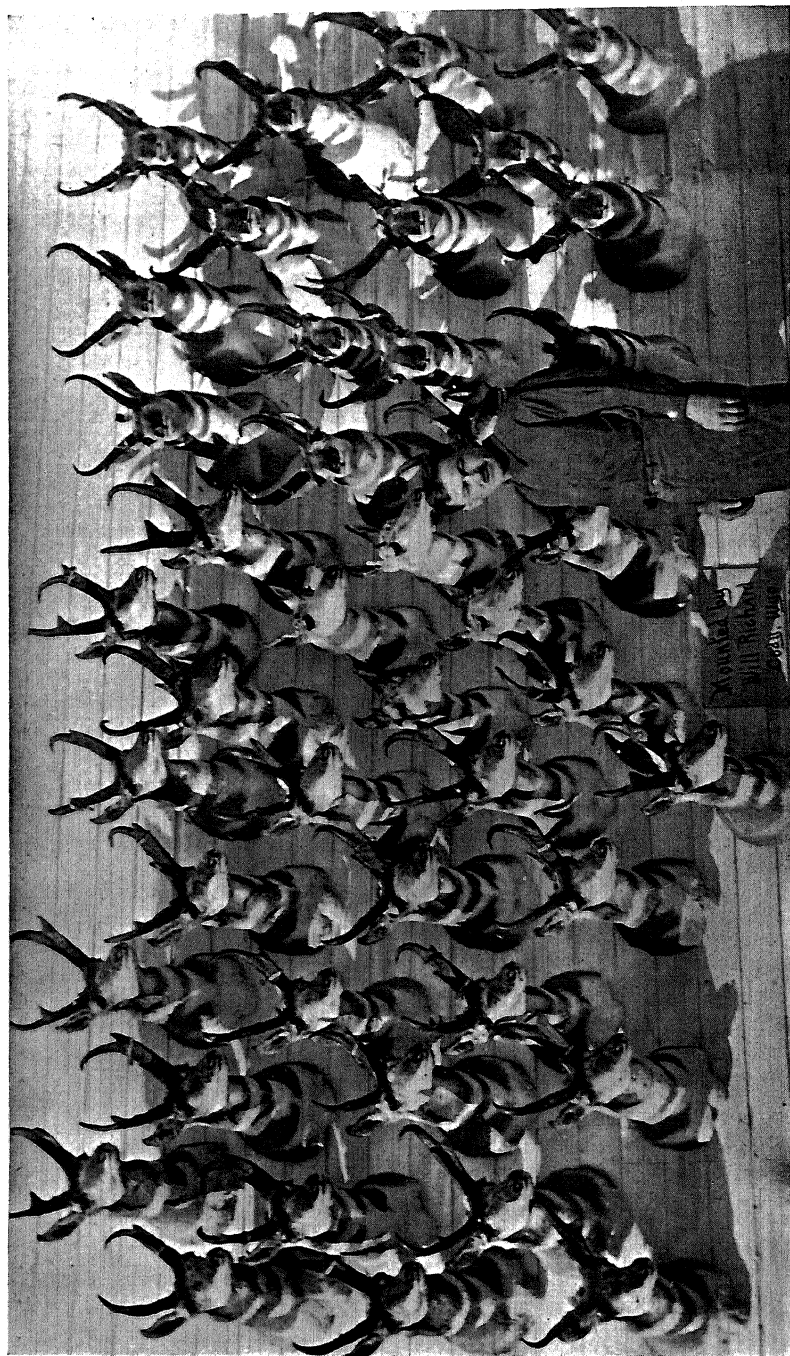
Next in order comes the Cody (Wyoming) *Enterprise* editorial story of the slaughter of prong-horned antelope in the six days ending Oct. 4, 1929, on the Phelps Ranch, near Cody, Wyoming—and elsewhere—in the late lamented specially legalized open season. This is the anti-climax of the expenditure of \$1,000 by the Permanent Wild Life Protection Fund to secure two full years of protection for those very antelopes at the hands of the owners of the Phelps Ranch! During those two years, the protection paid for was faithfully delivered. And now, consider the following unbiased but evidently truthful story in the Cody *Enterprise* of Oct. 2, 1929, and try to imagine our feelings after the first shock. We find the whole stupid and brutal episode quite nauseating. The following eyewitness story was written by Ernest F. Shaw, editor:

#### GREYBULL SCENE OF WEST'S GREATEST ANTELOPE KILL

*Approximately 300 Antelope Downed by Hunters on Greybull Watershed  
Sunday*

What will probably go down as the greatest single day slaughter of antelope in the west was made on Sunday with the opening of the six-day season on these beautiful wild creatures on the Greybull watershed. Hunters lined the roads en route to the Phelps' Z-T ranch all Saturday





PRONG-HORNED ANTELOPE HEADS SHOT IN WYOMING DURING A SHORT OPEN SEASON (1939)

afternoon and evening, and Sunday morning, and it is estimated that there were in the neighborhood of 500 men and women armed with high-powered rifles stalking the game there at sunrise Sunday. The game department endeavored to make a check of the game at the Z-T ranch, and recorded more than 200 animals taken out by hunters with possibly another hundred going out by other routes.

In conversation with Chas. Beldon of the Z-T on Tuesday, he stated that some 70 antelope had been taken out on Monday, and enough to bring the total to 200 for Monday's and Tuesday's kills had been checked Tuesday evening.

Mr. Beldon is afraid that the kill this year will seriously deplete the Greybull herds, and more particularly the bucks, which are becoming very scarce in the herds. Few of the hunters are head hunters, but nevertheless the bucks are the favorites, and are killed more generally.

### *Greatest Slaughter in History*

It is doubtful if there ever was, in the history of the West, a greater slaughter of antelope than the one on the Greybull Sunday. The hunters, from all parts of the Big Horn Basin, and in fact the state, were en route there Saturday afternoon and evening, and the 91 ranch holdings of the Phelps' interests was the mecca for these big game huntsmen. Sunday morning came with a dense fog, and in spite of this fact many of the hunters moved out in quest of game. The fog lifted as the day advanced, and some amusing, even if dangerous, situations arose, as a small group of hunters would find themselves in line with other hunters' bullets.

The antelope, a peculiar animal that is hard to drive from his home range, ran in circles and were easy victims to the high-powered rifles. In speaking with the game wardens, they report very few cripples left by the hunters, and in each instance most of these stricken animals would be killed and taken care of by whoever found them.

### *Six-Day Open Season*

In deciding that an open season would be had on antelope this year the game commission made the season of six days' duration and scheduled the opening day for Sunday. This was done much to the advantage of the working man, who would not be able to get away on a week day, but however fair the ruling was, it proved itself a horrible mistake, for only those who were there can appreciate the terrible massacre of antelope, the bombardment of guns, likened to the "battle of the Marne," which took place all day Sunday.

Unless otherwise shortened by the Game Commission, the season will close on Friday evening.

### *Killing the Antelope*

Our visit to the Greybull on Sunday, where between 300 and 400 antelope were killed by hunters of the state, brings us to the point where we feel that something should be said. We also wish to preface our remarks with the statement that in nowise should the state game department

be held responsible for the slaughter of these beautiful and graceful creatures. The disposition of a great number of antelope seemed necessary from an economic standpoint, and that 300 were killed in one day is no greater shame than that the same number be slaughtered in a sixty-day period.

Yet we could not but have pangs of regret for these wonderful creatures when they were brought down the river, two, three and in many instances four and five, tied onto the cars of the hunters. *Bucks, does and fawn alike were the victims* of the wicked gunfire of the hundreds of hunters who went out to secure their portion of the game which had been offered. Our only prayer is that never again will there be such a slaughter of wild game in Wyoming. If ever there is a cause to reduce the herds of wild life, let it be on a percentage killing each year, and by special license, and not a wholesale slaughter such as took place on the Greybull Sunday. (End of the quotation)

\* \* \* \* \*

The sickening slaughter described above might well be remembered as an object lesson for a century. But it will not be so remembered. The men who make such records as the foregoing do not read history. The necessity to occasionally reduce herds of game is conceded by us, and has been for 17 years; but never save once has our advice been asked on *how* to get rid of a surplus of game. The local experts think that they know all about it.

The answer can be given in three words—system and secrecy. Whenever there is a surplus of game, masses of sportsmen always clamor for chances to slaughter it. The harried commissioner feels that to protect himself he must throw the gates wide open, and let the mob of sportsmen swarm in. But this is unmitigated folly; and it always leads to disgusting butchery.

I once had to dispose of a bad elephant, in a city swarming with reporters and cameramen hungry for stories and pictures. I took just three men into my confidence—the two elephant keepers, and Carl Akeley whom I sought to do the shooting. Not another person in the Park dreamed that a tragedy was about to be enacted—until the one quickly fatal shot was fired, and the afflicted animal was dead. Then I gave to the press a perfectly fair story of the event, and the reasons for it; and that was all. There was not even a trace of a sensation about it.

In doing a painful thing with wild animals, *cut out all publicity!* Do not make a "sportsman's" or a reporter's holiday of it.

It would be possible to set down many shocking and staggering tales of duck slaughter, of quail slaughter, grouse slaughter, and so on. I could cite a "pioneer conservationist" in Louisiana who killed 102 ducks in "one morning's shoot," and had the whole lot photographed hanging like a blanket in front of him. I could mention the man with a duck "preserve" on the Cooper River, South Carolina, who said that in one season recently he killed 1542 ducks. I could cite the case of 80,000 ducks killed for market in Louisiana, some years ago, in one week on one club area.

But what is the use? No one disputes such facts. In most places such things will no longer be done under the new bag limit reduction regulations. In California there is now loud talk about defying and thwarting the law, by illegal practices; but we fully believe that the California State Game Commissioners will be able to prevent the tricks that now are predicted. It is up to Commissioner Zellerbach; and we think that he will stand no nonsense from lawbreakers.

*Unrestricted Commercial Destruction of Sea Animals.* The most sordid spectacle of wild life destruction for money profits now proceeding is to be observed in the Norwegian whale-slaughter industry. In three centuries of commercial destruction of wild creatures, this is something new. It is new by reason of its maximum use of machinery, the supreme deadliness of its attack, and the thoroughness of its work.

During the last 50 years I have seen and heard much of guns for the wholesale killing of game, and other forms of wild life than the commercial food fishes. We know the cannon gun of the market duck-hunter, the many-barreled shotgun for waterfowl that gave birth to the French mitrailleuse of 1870, and the automatic shotgun of today that for one cocking fires five shots. All of those, however, sink into utter insignificance beside the powerful whale-killing cannon, that is fixed in the bow of each whale-ship, or gasoline whale-boat, firing a bomb lance weighing 100 pounds, and effective at a *mile* in every direction! And instead of the small old-fashioned whale-boat propelled by oars and man-power, there now is seen the modern whale-boat of 200 *tons*, with a powerful gasoline engine, from which there is no escape for a stricken whale.

It is now time to place the whole sordid business of modern whale murder permanently on record, for the information of those who come after us, and wonder why the seven seas contain no more whales. This is easily made possible by the introduction here of an excellent and very comprehensive descriptive article published in the New York Herald-Tribune of May 29, 1927, from which we reproduce the following passages:

#### MODERN WHALER HERE WITH OIL WORTH MILLION

*Rebuilt Tanker, on Way Home from Antarctic Season, Did 3 Years' Work of Old Craft in 3 Months*

KILLED 530 SEA MONSTERS

*Mammals Harpooned from Small Boats Yield 48,000 Barrels of Soap Material*

The Twentieth Century note in whaling vessels, comparable to the old-time whalers as a swift eight-cylinder motor car is to the old buggy, steamed into Pier 6, Staten Island, late yesterday afternoon with \$1,000,000 in Antarctic whale oil barrelled in her capacious hold. The oil, which was pressed from 530 whales in zero waters, will go into the manufacture of a well-known and popular brand of soap.

The C. A. Larsen, giant whaling depot ship, has just returned from three months of whaling in the Bay of Whales, which is in the Ross Sea, 2,000 miles south of New Zealand, and about 700 miles from the south pole.

The two modern whalers, each comparable in work to 100 of the old-timers and accomplishing in three months what the old fleets used to do in three years, went out on a single expedition.

#### *Drag Whales Through Tunnel.*

The whalers troughed through 600 miles of icepack on the outward trip, the crew said, but encountered clear water on the way in. The season was from December to March, and excellent hunting was obtained this year. There are 48,000 barrels of the oil on the Larsen, each of which contains thirty-one and one-half gallons. The Sir James Clark Ross had about 4,000 tons aboard her when she put in here.

The C. A. Larsen is the first of the modern whalers to be equipped with a drag tunnel in her bow. This is a tunnel sixteen feet in diameter and about twenty feet long, through which whales up to 150 tons dead-weight may be dragged up from the sea to the stripping deck. Heretofore the small killer boats have darted out from the depot ships, made their kill and brought the carcasses back to lash them to the sides of the depot vessel until calm water was reached. Now the carcasses are dragged right into the ship and stripped. C. A. Larsen, a Norwegian, took the first of these efficient expeditions out in 1923 and broke even on the voyage, taking his commercial ships farther south than any of the type ever had been.

The 1924 voyage with the Sir James Clark Ross was marked by Mr. Larsen's death, but commercially it and the 1925 expeditions were so successful that the Eagle Oil Company's tanker San Gregorio was bought and reconstructed into the C. A. Larsen, a 17,200 dead-weight ton whaler, that looks more like a towering liner than a whaling vessel.

#### *Sea Mammals Show Speed*

The C. A. Larsen has six 200-ton "killer" boats which join her at Stewart Island, south of New Zealand. There the killer crews and boats put up for the summer and fall, joining up when the expedition comes through in December each year. These killer boats carry harpoon cannon, and in zero waters go out to kill the whales.

The harpoon weighs 100 pounds and has a soft-nosed time bomb on its tip. This explodes after the harpoon has penetrated the whale. When harpooned the whale either sinks or starts a "run." These runs attain terrific speed, it was said, a large blue whale often speeding at fifty miles an hour.

The heavy boats are thrown into reverse when a whale begins to run, and with her powerful motors turning in reverse at eight knots the whales tow them for miles before becoming exhausted or dying. Skippers of the killer boats are paid on commission, some making \$18,000 in the three months. The prize pay this year was \$10,000.

The crews work day and night, since at the season there is no real night. The Ross Sea and Bay of Whales was traversed by Amundsen, Shackleton, and Scott in their expeditions, and it is said to have been Amundsen who tipped off his countrymen to the excellent whaling waters.

## CHAPTER XII

### NOTES ON VANISHING SPECIES

Yes: I have seen thousands of men try, by main strength, to sidestep and ignore this miserable subject. To the gallant men who go out to get "what the law allows," regardless of scarcity, the men who keep talking on this subject are "pests," and deserve to be suppressed. The deadly optimists hate us, and would hang us if they could. To a man with a bad record nothing is more galling than merciless truth.

In speaking of that, my memory goes back to the brazen and foolish assertion in Section 10 of the "American Sportsman's Platform," that was adopted in New York by the Eleventh National Game Conference on December 9, 1924, and published subsequently in many publications. One sentence of Section 10 reads as follows:

*"Attention is called to the fact that in this country, under our present system of game protection by constructive administration, no game animals or birds or fish have been exterminated, and none will be exterminated."*

Ye gods and little fishes! What a statement to print for men!

Up to date, the people of Massachusetts have expended about \$70,000 in well-meant and determined efforts to save the last colony of Eastern Pinnated Grouse, or Heath Hen, on Martha's Vineyard, from complete extinction. Those efforts have gone on for just 60 years!!

Today, the *very last living heath hen*—a cock bird—is cowering alone in the tall grass of a meadow on the farm of Mr. James Green, on the island of Martha's Vineyard, Mass. Professor Gross has seen him at close range, and made excellent photographs of him. Next week I may go up and interview that Last Survivor—if he lives that long. If I do, I will say to him:

"Cheer up, Last One! Do not be alarmed about your impending fate. You are quite safe today—if you see what I mean. You have been 'saved' by Constructive Administration. Whatever that may have meant to you I do not know. Your flocks have not perished. They are only sleeping. It was not the sportsmen of the East who shot you out of Pennsylvania, New Jersey, New York, Connecticut, Rhode Island, and the mainland of Massachusetts. Those disappearances, my dear Watson, were due to Acts of Providence. The men who did the shooting felt Terribly about it—afterward. After you had gone, New York gave your ghosts protection, in 1875, New Jersey did it in 1920, Rhode Island in 1846, and Massachusetts rushed forward with her close season in 1870. You were most inconsiderate in not waiting for those 'constructive administration' protections—if you understand what I mean.

"Now, listen. Just compose yourself, old bird, and try to believe that the high-sounding National Game Conference Platform knows what it is talking about. Try to remember that the sportsmen are your best and only Friends; and that under their benevolent and wise system of game protection by free shooting for everybody you are quite safe, until some-

thing hits you. And even then, you may be converted into a fine subject for a two-years investigation—and what more could you ask for? For further particulars, just ring up the Woolworth Building.”

The second bird in our list of horrible examples of Progressive Extermination (90 per cent. by shooting) is the devoted friend and ally of the farm and orchard, Bobwhite, the Quail. He is at once the most useful to man, the most valuable, the most sociable and trustful, and by all odds the most lovable of all our North American game birds. If you will just spare his life, he and his mate will nest in your fields, or your orchards, and kill each year more bad bugs per capita *than any other living bird*. He eats 145 different kinds of bugs and insects—all of them bad ones. His annual consumption of the seeds of noxious weeds is enormous. Of all wild birds he is the farmer's, and fruit grower's, and cotton-planter's best friend—“*which nobody can deny!*”

And now just look at the bitter treatment that bobwhite receives from man in return:

So long as the hunting of him yields enough dead birds to make it “interesting” to hunters, every strange man and boy with a gun is against him. The farmer's wife always is his best friend. Usually the farmer and his boy also stand by him pretty well, and sometimes (though not always) protect, feed and shelter him. But beware of the “town” or “city” loads of automobile hunters! If the farm is not thoroughly “posted” and defended, *they will get him, pronto!* Of course they have 4-legged assistants to lead them to the birds and make the killing easy. Any real quail-hunter will board a hungry dog for 360 days per year just to have his help for four or five days in “locating a covey” each day.

To the savage quail hunter, the esthetic beauty and farm value of bobwhite are utterly negligible factors. There are plenty of cheap sports who openly say, “Well, if we can't have *any* quail shooting, *we won't feed or shelter the quail any more!* Close seasons after deaths by freezing and starvation in extra cold winters? No: I guess not. We might better shoot the quail than leave them to freeze to death.”

I have heard quail hunters use *the very language* quoted above; and it always nauseates me. And there are other quail hunters who also say:

“When quail get scarce, shooting up the coveys, and breaking them up, makes the birds *breed better*, and *prevents disease from inbreeding.*”

You bet it “prevents inbreeding”—or any other breeding! But any quail hunter who does not know that the remnants of a scattered covey usually get together during the first 24 hours after the attack is mighty ignorant of the habits of quail.

During the last 30 years, bobwhite quail have been shot so persistently that now, 13 bobwhite states out of the original 34 have been compelled to stop all quail hunting. “No Open Season” is the label. Quail hunting is dead in 13 states wherein *the curse of progressive extinction* has brought the birds down to that point. We now have with us “constructive administration,” have we? Well then, our next goal is—*total extinction*. In Ohio, in 1915, the quail was put on the songbird list—by the farmers, the press and the lawmakers, and with no help from the sportsmen. Now,

Mr. Horace Lytle says in his book, "No Shooting?" that in Ohio quail are being regularly killed by poaching hunters, contrary to law; and he honestly thinks they would *increase faster if legally shot!* But for all that, we are assured that quail *have* increased a lot in Ohio.

Our next exhibit is the *Ruffed Grouse*, a bird which is certainly marked for oblivion by the shotgun route, aided somewhat by diseases and parasites of about ten different kinds. For ten years this species has been steadily disappearing; for ten years its breeding-in-captivity possibilities have stood at zero, and for ten years the ruffed grouse sportsmen have been worried.

In 1927, the Binghampton Press editor, Mr. Tom Hutton, who had become alarmed by the awful disappearance of the ruffed grouse in New York State, gallantly determined to do something about it. He telegraphed to me, requesting a statement of what I regarded as the causes most to blame, for ruffed grouse scarcity and disappearance. I replied—"It is 90 per cent. due to overshooting, and 10 per cent. to vermin and diseases." Free-roaming hunting dogs in nesting time are to be counted as "vermin."

I expected a large crop of dissenting opinions and denunciations; but to my surprise about nineteen commentators out of every twenty *endorsed my estimates!*

Today the investigations of ruffed grouse diseases are going on in four states, and I hear that the New York State Conservation Commission is going to spend in those investigations \$10,000 a year for the next five years. Ten parasites and diseases already are known. And now will some one show us a man, or a bunch of men, who can *doctor sick grouse?* No one who knows ruffed grouse will tackle that job.

Meanwhile, in 19 of the original 24 ruffed grouse states, there is no longer any ruffed grouse hunting, but in 4 states investigations of diseases are proceeding. More progressive game extermination, 90 per cent. due to the GUNS. In 1928 Game Commissioner Walcott of Connecticut declared that in the previous 4 years 80,000 ruffed grouse had been killed in that state, and that the survivors face extermination if measures are not taken. But it was too late! Connecticut's grouse were then down and out.

We now present the fourth of our sample cases of progressive game extermination, with the usual map, but in another chapter.

The *Northern Wild Turkey* originally inhabited 33 states of the eastern half of the United States. Fortunately for our purpose, some enterprising bird lovers of Pennsylvania formed last year the Wild Turkey Society. At once they proceeded to make an investigation of the status of the wild turkey in each state of its original home.

Mr. John E. Evans, president, and Dr. Samuel P. Boyer, secretary, presently found that in just about one-half of its original range the northern wild turkey species now is **EXTINCT!** It is not a case of "No Open Season." In 16 states out of the original 33, as shown on the map, all the turkeys are believed to be *dead*; but it is to be noted that in southern Pennsylvania a real amount of restocking and recovery has been accomplished, and the western counties of Maryland also are successfully reintroducing the greatest of game birds.



The case of the *Woodcock* is a little peculiar. In January, 1925, it was seriously reported to the Secretary of Agriculture by the head of a game protective organization that "woodcock are increasing in the United States"; and that "information was solemnly reported to the New York Federation of Women's Clubs as the reason why Mrs. Marshall's Committee's request for a 5-year close season on that bird could not be granted."

Now, it seems as if each year the whole woodcock population of North America assembles in New Jersey to be shot by the specially licensed 2,000 or more of specializing woodcock hunters, each of whom gets 4 4/5 of a bird as his annual bag.

Meanwhile 9 states have closed down permanently on woodcock hunting. And Missouri, which *still maintains* a shooting season 30 days long, bashfully reports that a few seasons ago the whole woodcock population of that state footed up a total of only 40 birds!

Beyond question, as things are going now, the woodcock will be one of the next gun-fodder species to disappear.

The *Rail* and the *Gallinule* are species on the list of killable game birds. Possibly a specialist on those species may know how to find some specimens of those rarely seen birds, but I am sure that 99 per cent. of the 7,500,000 sportsmen of America could not recognize one of those birds on sight. Whom do *you* know who ever saw a gallinule? Who is there between Pamlico Sound and Tillamook Rock who could distinguish one from a sidehill gouger?

There are a very few men living in California who can go rail hunting, and at times find a few rails; but an open season on the gallinule is a wicked absurdity. Its only usefulness is to emphasize the silly side of American game protection.

*What Our American "System" Has Done, Thus Far.*

Between 1870 and 1910, it permitted the extermination, *over immense areas*, of elk, moose, mule deer, antelope, mountain goat, sea otter, beaver, ruffed grouse, heath hen, sage grouse, quail, wild turkey, wild geese, and ducks of many species, and shore and marsh birds of species too numerous to mention. The showing is so ghastly that none of our opponents, and none of the constructive conservationists, are willing to make any maps or write any reports to illustrate the *progressive extinction of American game*. They will not do it, not even when they have all the facilities that money can purchase, and 1,500,000 cards of factualities in their files.

They dare not face the *whole* truth! The "system" would blow up.

#### THE LAST HEATH HEN

By Professor Alfred O. Gross

Because it is impossible for him to write the obituary of the Heath Hen species as acceptably as it was done last July by Professor Gross, of Bowdoin College, for years the accredited official observer of that tragedy, the author of this volume has secured permission for the reproduction of this admirable article from *The Collecting Net* magazine, for July 12, 1930. The two fine photographs of the Heath Hen, shown by this volume, were made by Professor Gross on April 2, 1929.—W. T. H.

On Martha's Vineyard Island just across the Sound from the Marine

Biological Laboratory is the home of the lone survivor of the Heath Hen. The death of this individual will also mean the death of its race, and then another bird will have taken its place among the endless array of extinct forms. The numbers of Heath Hen have been closely followed by ornithologists and since 1908 a detailed census has been taken of the birds each year. For the first time in the history of ornithology a species has been studied and photographed in its normal environment down to the very last individual.

In early colonial times the Heath Hen was very abundant in favorable places from Maine to the Carolinas. The bird's habit of congregating in open fields and the ease with which it was tricked and killed by the market gunners were contributing factors to its rapid decline soon after white man and his firearms came to America. By 1870 the Heath Hen was exterminated from the mainland and from that time on has been restricted to its last stronghold on Martha's Vineyard. It is remarkable that a bird subjected to all the vicissitudes of disease and enemies has survived in that limited area for over a half century. The prolongation of the life of the bird on that island has been due to the interest taken in it by the State of Massachusetts, conservation organizations, bird clubs and individuals who have done all in their power to save the bird. The State Department of Conservation has expended \$70,000 and thousands more have been contributed by individuals in the unprecedented efforts to prevent the bird from being exterminated.

Many attempts were made in the past when the birds were abundant to transplant them to other favorable places on the mainland and to other islands such as Long Island, New York, one of their former strongholds. Furthermore the most experienced sportsmen and game breeders were unable to breed the birds in captivity, indicating that the Heath Hen was very sensitive to any radical change in its environment and that it would not yield to such methods of conservation. All of the many experiments of introducing the Western Prairie Chicken, its nearest relative, to the East have likewise proven unsuccessful. Efforts to increase the numbers of the Heath Hen on Martha's Vineyard by the establishment of a reservation in 1908 met with temporary success. The birds increased from less than 100 to an estimated number of 2,000 in 1916. Unfortunately a destructive fire swept over the entire breeding-area on May 12, 1916 which in the course of a few hours undid the work of many years. The following year there were less than 150 birds remaining, and the majority of these were males. There was a slight rally in numbers during the following few years, but the birds were too far gone to overcome the surmounting uncontrollable conditions of extensive interbreeding, declining sexual vigor, the condition of excess males and, worst of all, disease. In 1920 many birds were found dead, or in a weak and helpless condition, indicating that disease was exacting its toll. The Heath Hen is very susceptible to poultry diseases, and when domestic turkeys were introduced to the Island in large numbers the dreaded disease "Blackhead" came with them. The turkeys and Heath Hen fed on the same fields, and thus the disease was readily transmitted to the native birds. The Heath Hen continued to decrease in numbers, and by 1925 it was apparent that they had reached their lowest

ebb in history. The Federation of the Bird Clubs of New England, Inc., then came to the front and offered to raise \$2,000 annually to support additional warden service. In spite of this splendid cooperation, the birds, after two years of effort on the part of all concerned, continued to decrease.

The 1927 spring census showed thirteen birds, only two of which were females. In the autumn seven birds were seen and by April, 1928, the flock dwindled to three males. During the fall of 1928 only two birds were seen, and after December 8 but one was reported. This bird was photographed from a blind, on April 2, 1929 at the farm of James Green located on the state highway between Edgartown and West Tisbury. At that time it was the common expectation that the bird would step out of existence before the end of another year. It was seen regularly until May 11, 1929, but after that date it disappeared among the scrub oaks to live in seclusion, as was customary for the Heath Hen to do in the past, during the summer months. After the moulting season it again appeared at the Green farm in October to announce to the world that it was still alive. It was seen at irregular intervals during the winter, and after the first warm days of March it appeared daily at the traditional "booming field" at the Green farm. The State Department again placed an observation blind in the field and baited the bird for over a month in order to make it possible to study and to photograph the bird at close range during the period of the census.

During the springtime of former years the Heath Hen appeared in the open fields in the early morning hours following dawn, and again in the late afternoon preceding sunset, to go through their weird and extraordinary courtship performances. This year the lone bird generally flew out of the scrub oaks and sailed gracefully to a point near the center of the meadow. After alighting it erected its head and carefully scrutinized its surroundings, seeming to make sure that all was safe before continuing to search for food. The bird presented a pathetic figure as it stood out there all alone, without any companions save the crows that had come to share the food intended for the Heath Hen. Though it soon started feeding it was ever on the alert for possible danger. Its eyes were much keener than those of the observer inside the blind. On several occasions the bird crouched in the grass, his colors blending so perfectly with the surroundings that he disappeared from view. A minute or two later a hawk would swoop over the field, explaining the reason for the Heath Hen's behavior. No doubt the alertness of this individual has been an important factor in its preservation. The feeding in the open was a businesslike performance, and during the time of the census was not interrupted by the booming and cackling characteristic of the courtship performance, which in former years occupied the greater part of the time of the males during the visits to the open fields. Not once did the male inflate his curious range sacs and boom, for there was no female to admire him and no male to challenge him to such an exertion. Its spirit must be broken, but nevertheless it seems to enjoy its life and its freedom. It is in excellent health, fat and plump and in perfect plumage.

The State Department has been asked to collect and preserve this last bird for science, but from a sentimental point of view how much better it is to let this individual live in its natural environment among the scrub oaks on the sandy plains of Martha's Vineyard than it would be to put it in a cage, or to mount it and have it collect dust on some museum shelf.

How long this bird will live no one can safely predict; its going is inevitable, but ornithologists, bird lovers and sportsmen the world over will have the satisfaction of knowing that all that could be done by the state, bird clubs, and individuals has been done to save this bird from extinction. The State Department has assured us that the bird will be allowed to live, and when death comes, whether it is due to old age, disease or violence, we will at least know that the life of the last Heath Hen was not willfully snuffed out by man.

## CHAPTER XIII

### WHAT TO DO

The Hour has arrived in which the American people must decide, either actively or passively, and once for all time, whether they WILL, or WILL NOT, do the drastic things that are necessary to their remainders of killable "game," and their bedraggled and tattered rags of their devastating free hunting.

For fifty years they have been warned and warned, by Frank Forrester, Emerson Hough, Will H. Dilg, and W. T. Hornaday. The spasmodic efforts that have been made at preservation and stabilization often have temporarily checked extermination; but the best effects have soon been nullified by the awful annual increase in guns, cartridges, men, and commercial interests.

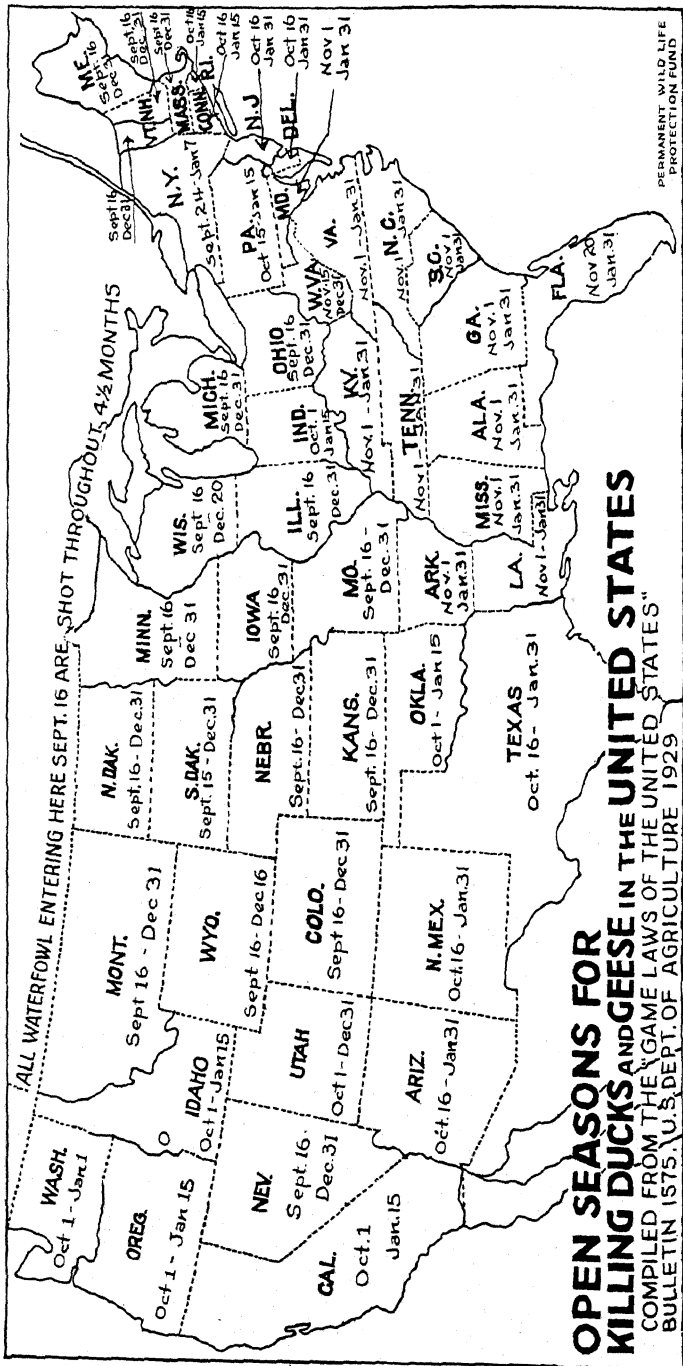
Now, *drastic measures are necessary!* Thus far *none* have been taken of that kind! If stern and severe measures are not taken, measures of the kind that make the sick patient yell "murder," American game SOON will be down to a basis of rabbits, white-tailed deer, and hand-reared birds on a basis of 1 bird for every 100 hunters per season.

Now, *which* shall it be?

Will the sane and honest hunters of the United States ever agree to help to put over *the drastic reforms that alone can save our game situation?* I fear that they NEVER will do so. I fear that the noisy minority opposed to it will prevail. I fear that the sportsmen who are great in killing half-starved geese by the innocent treachery of tame wild geese, and in killing poor little sora rails and storm-beaten quail, will be permitted to rule. As the masses go, I think that they have not enough courage and determination to adopt the program that is necessary to stabilize game and sport, on a lasting basis.

We need not care what is thought of us by men who are so weak and foolish that they deliberately destroy *their own beloved "free-hunting" sport*, by the methods of folly and unreason. Little do I care about the ridicule of men who pretend to care a lot about "game protection," but who are keen about hunting and killing all that "the law allows," until all the game is dead.

CANADA HATCHES AND REARS ABOUT 85% OF OUR DUCKS AND GEESE. JACK MINER LEAGUE WANTS U.S. OPEN SEASON OF TWO MONTHS ONLY



OPEN SEASONS FOR KILLING DUCKS AND GEESE IN THE UNITED STATES

The actual waterfowl hunting season in southern Canada and our northern border states is about 5 weeks only. In our central and southern states, it is three full months or more. Is this fair to Canada, to our border states, or to the waterfowl?

A PROGRAM FOR SOME REAL GAME PROTECTION  
(*but which never will be adopted, or carried out!*)

The things that need to be done are listed in the order in which they best could be developed.

BY CONGRESS AND THE FEDERAL GOVERNMENT

1. Immediately pass the McNary-Haugen bag-limit bill, with amendments to accomplish the next two objects.
2. Reduce all open seasons on waterfowl from 12 or 14 weeks to 8 only.
3. Stop all baiting of waters to be shot over; permit baiting of sanctuary waters, and stop the use of live decoy birds.
4. Stop all woodcock shooting for 5 years.
5. Reduce all hunting licenses to a hunting privilege only in *each alternate year*.
6. Treat the pinnated grouse as a migratory bird (which it is), and give it a 5-year close season.
7. Give the sage grouse a 5-year close season, everywhere.
8. Reduce the bag limit on doves to 5 per day, or stop dove killing altogether.
9. When the time comes to permit the shooting of any species of game after a long close season, the number of hunting licenses for it must be severely limited, and closely checked up; and the bag limits must be kept at the lowest point. *No general slaughter of half-tame game!* This applies with maximum force to all big-game species.
10. The federal government and the state governments should *co-operate* in prohibiting all shooting within one mile of any boundary of any federal or state sanctuary. (The Jack Miner Canadian rule is correct!)
11. The federal government and the states should closely cooperate for the general good in the protection of game, and game sanctuaries.

THE STATE GOVERNMENTS

12. In view of the game extermination already accomplished, and the prospect of more exterminations in the near future, each state still possessing quail, ruffed grouse, pinnated and sharp-tailed grouse, or wild turkeys should at once give each of those species a 5-year close season (1) for recuperation (2) for study and (3) for final stabilization as killable game birds not to be exterminated. In view of the areas already desolated, this movement should begin *at once*.

13. Every state government now should turn over a new leaf about game protection funds. Every state should now cease to rely *solely* upon blood-money derived from the sale of killing licenses for the protection of game and non-game birds and mammals. Every state should protect its *non-game birds* at the expense of the people as a whole, by taxation.

14. Every state should NOW, at once, frame and adopt a policy and

program for the erection of shelters and the planting and maintaining of bushy cover for game. Along with this should go the planting of fruit trees, nut-bearing trees, and berry bushes, for wild bird food.

15. Every state should develop a large series of inviolate sanctuary ponds, large and small, for the entertainment of water birds, and marsh birds. The possibilities in this easy line of endeavor are, in the aggregate, *very great!*

16. Every state should enact a law for (1) either the killing of all hunting cats, or (2) the licensing of cats and the destruction of those not licensed. Surplus cats are a curse to every home or community that they inhabit, and they should be eliminated.

17. The following species of birds and mammals should be destroyed because of their destructiveness to valuable wild species: Coyotes, gray wolves, mountain lions, individual bears that become unbearable "killers" of domestic stock, weasels, red squirrels in farming communities, the great horned and barred owl, screech owl, goshawk, sharp-shinned and Cooper hawk, crow (*no starlings!*) and purple grackle if unbearably numerous. The skunk, mink, foxes, raccoon and opossum should be dealt with by legitimate fur-trappers.

18. The wholesale broadcasting of poison, to kill every bird, wild animal, and dog that will eat it, should be firmly prohibited; and all poisoning that is permitted should be strictly regulated, to kill only those species of well-proven undesirability, and really deserving of the dire and merciless Extreme Penalty.

It will be observed that the writer hereof is under no delusions regarding the acceptance of even the most important features of the above programs. The millennium is not yet here. All hard-boiled sportsmen, all game-hogs, and game-hog defenders will say,

"To hell with all such silly restrictions on Our Rights! They are the proposals of a crazy fanatic, who is too old and too blind to do any more hunting himself, and who does not know what he is talking about."

In 1914, at New Haven, when a state game protector told me that "60,000 ruffed grouse were killed in Connecticut last year," I said:

"That can not go on without *exterminating* your grouse!" But it did go on.

In August, 1928, Hon. F. C. Walcott, State Game Commissioner of Connecticut, being himself without the power to act, appealed to Governor Trumbull for the issue (if possible) of a proclamation to declare a state-wide long close season on ruffed grouse. The reason given was that "during the previous four years 88,000 ruffed grouse have been killed in Connecticut, *and the survivors face extermination if measures are not taken.*"

No action was taken in 1928. The kill in that year was very small.

In 1929, because of near-extinction the ruffed grouse were, at last, given a one-year close season; and the down-and-out quail were given two years, both of which close seasons are too short to amount to shucks.

And now the sportsmen of Connecticut are down to rabbits and fish-hatching as consolations for dead "sport."

## THE DUTY OF THE SEVENTY-FIRST CONGRESS

The logic of the whole game-slaughter situation demands the immediate passage of the McNary-Haugen bag-limit reduction bill, with two brief amendments to reduce all open seasons on waterfowl from 12 or 14 weeks down to 8 weeks (the precise period to be chosen by each state), and to prohibit the baiting of any lands or waters that are used as shooting-grounds.

The imperative reason for a bag-limit mandate from *Congress* is the fact that in no other way can the present exasperating wrangle over bag limits and open seasons be settled sanely and justly, and have it stay settled until Congress chooses to revise it.

A contributory reason is to be found in the fact that for six years the course of the Biological Survey on game-killing excesses has been unproductive, obstructive, and at times devastating to the interests of the game concerned. This fact is no longer open to argument.

Today, no man outside of the ranks of our enemies knows what Chief Redington and Mr. W. C. Henderson will between their two selves decide in camera what shall be done about bag limits after this open season has closed, on February 1, 1931. Last December they were scared by the looming figures of Senator McNary and Representative Haugen, and for "the next season" they reversed their obstructive policy. Was it to save game? Or was it to save the czar-like power and prerogatives of the Biological Survey from a jolt? Let each member of Congress decide this question.

Let it always be remembered that up to December 30, 1929, the old guard of "the opposition" party was all mighty hot against a general reduction of bag limits and open seasons, over the 19 unreformed states. But when the Survey flopped (in self-defense?) on December 31, 1929, they suddenly became very silent. Up to date they have been silent about "bag-limit fanatics" in the sacred Survey. But what did they do to our bill last January, at the "Hearings" of January 27, 28 and 29?

They all strongly opposed the whole idea that 500 perfectly sound Congressmen, representing 122,000,000 American people, should have anything whatever to say about bag limits on migratory game. All they will tolerate from Congress is—more appropriations for the Survey to spend. *They did not then, nor at any other time in the past, advance even one good REASON why our demands for a bag-limit SETTLEMENT should not be granted!!* Have you not noticed that?

Unless the 71st Congress passes the McNary-Haugen bill, on March 5, 1931, the bag-limit reduction fight will be right back where it was on December 30, 1929, before the transformation. In that case, Messrs. Redington and Henderson, well assured of the usual backing of the commercialists and the professional "conservationists"-for-revenue-only, can and will do just whatever they please about the bag limits of the "next season." If our bill fails, look out for a quick return to the status quo of the old bag-limit map on page 128, which shows what conditions were down to December 31, 1929.



*There is not one good reason why our demands on bag limits should not be met, or why Congress should not issue a mandate to correct bag-limit abuses! Have you never noticed that?*

*No Good Reasons Against Reform.* I repeat that at no time in the last seven years has any one member of the professional opposition to bag-limit reform (1) ever shown Congress any evidence of a judgmatical study of game killing, game disappearance, or game extermination, or (2) ever uttered or recorded *one good reason* against our demands for bag limit and open season reforms by Act of Congress! Search the reports of the hearings of January 20 and 25, 1927, on the Copeland-Merritt bill, and of the hearings of January 27 to 29, 1930, on the McNary-Haugen bill, then tell Congress what evidences of *study and logical reasoning* you have found.

Do you find any other "*evidence*" than the emotions of the defenders of big bag limits? For *ten* long years the defenders of wasteful killers and game bags have carefully avoided investigating, or writing, or "addressing," or publishing anything of detailed value on game slaughter, disappearance or progressive extermination! *They will not do it! You can't make them go into those subjects!*

And yet, those stallers go to Washington whenever any reform issue is up, recite the virtues of their various "conservation(!)" organizations, and with glittering generalities try to bluff Congress into accepting their emotional "views," and their "objections" to reform bills.

How much longer will serious-minded members of Congress tolerate such drags on bird conservation?

The amended McNary-Haugen bill is VERY NECESSARY, and it should be passed, early in 1931. One hour of debate should be quite sufficient for its consideration. In the name of the abused and persecuted game, we call for A VOTE.

## CHAPTER XIV

### RECORDS OF THE BAG-LIMIT FIGHT

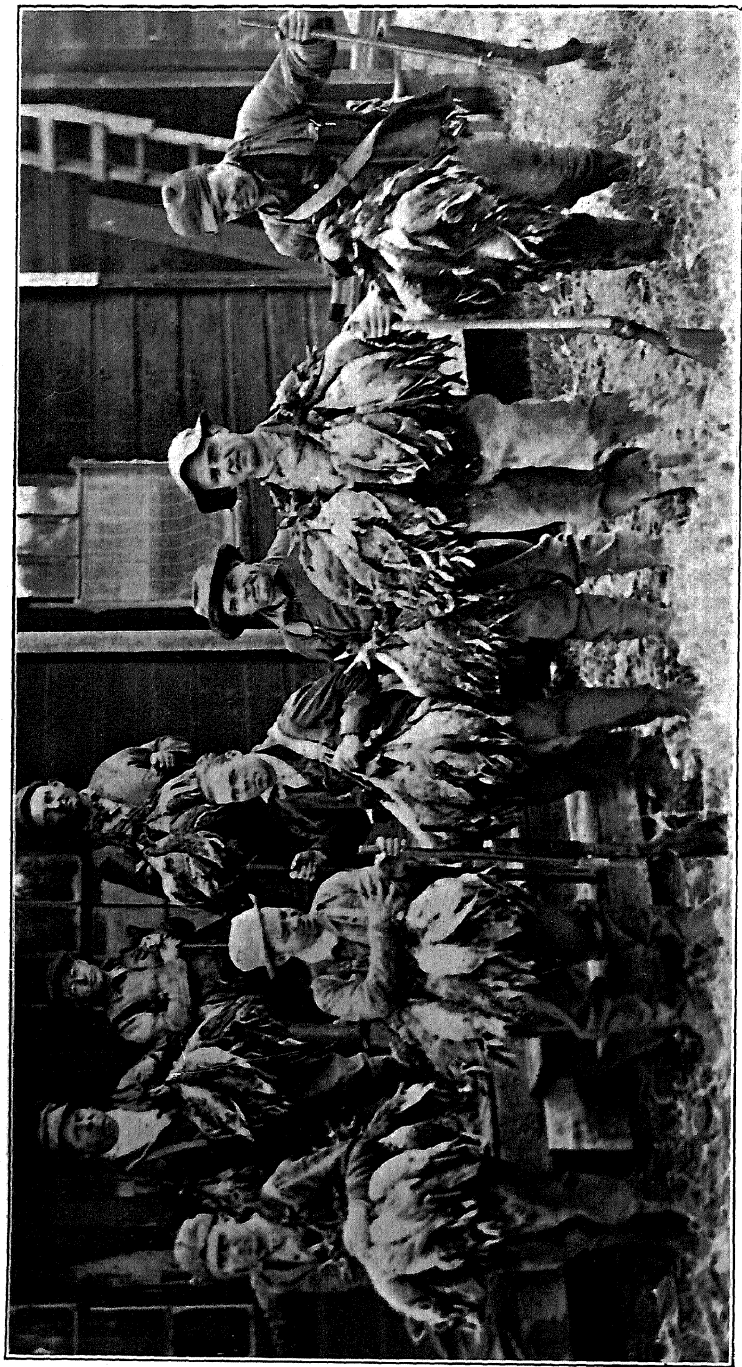
*"I know no way of judging the Future but by the Past."*

During the decade stretching from 1920 to 1930, the tidewater strip of our Atlantic Coast frontage played some sorry parts in its attempts at "game administration." It invented, and worked hard to put over, a big scheme to *increase* the killing of game, and it bitterly fought our efforts to *save* some game by reducing the possibilities in excessive slaughter. In both of those struggles the enemies of the game took second money; and the chronological history of it is here set down as a solemn warning to all men who see other men seeking to shape the game laws of this nation to suit their own selfish purposes. No men but fools ignore the lessons of history. We will choose important dates as our milestones of progress.

JANUARY 1, 1920. All over the United States, the migratory bird treaty act of 1914 and 1918 was working smoothly. But, alas! the sportsmen and lawmakers of 11 states had found their annual supplies of ducks and geese growing so *scarce* that they had felt compelled to reduce their daily bag limits on waterfowl. They fixed them at figures from 25 to 60 per cent. below the federal limits of 25 ducks and 8 geese per day. Complaints of duck decrease and scarcity were coming in from many sides, but no one in any duck-concentration state seemed to care in the least. Over the waterfowl shambles of the Atlantic and Gulf Coasts and California the doves of peace sat perched; but they cooed mournfully.

In Washington and New York the campaign director of the American Game Protection Association, John B. Burnham, holding down a federal appointment, acted year by year as the permanent Chairman of the Advisory Board to the Department of Agriculture. He was the *de facto* official outside advisor of the Biological Survey and Secretary of Agriculture on all questions affecting the bag limits and open seasons of about 3,000,000 sportsmen then operating upon our 60 species of migratory game birds. The chief officers of the national wild life conservation bodies centered in New York held a monthly love feast around a luncheon table, "and all went merry as a marriage bell," or words to that effect; and all the "key positions," save one, were occupied by hand-picked men.

MAY 20, 1920. On this date a large monkey-wrench was thrown into the smoothly-working game-killing machinery of the United States. The Permanent Wild Life Fund issued a wicked and revolutionary "Bulletin No. 7," entitled "*The End of Game and Sport in America? Will American Sportsmen See Their Sport Exterminated?*" It declared a steady decrease in ducks and geese throughout many states, and it protested that the existing federal bag limits on waterfowl were excessive, wasteful and exterminatory. It demanded lower bag limits, shorter open seasons, higher hunting license fees, more game wardens, better law enforcement and many other things. From all the eastern allies of the Permanent Fund save an unterrified dozen or so, that bulletin met a mighty cold and silent reception. Its author called it a boycott, and also a conspiracy.



THE BAG LIMITS OF YESTERDAY

As they worked out in California. What will they be tomorrow?

DECEMBER 6, 1922. The original old "game refuge bill," first sponsored by Senator New, passed the United States Senate, by a vote of 36 to 17. It was the joint product of Ray P. Holland of the American Game Protective Association and E. W. Nelson of the U. S. Biological Survey, assisted by Chief Game Warden George A. Lawyer. It was intended to provide permanent ponds and marshes in which to kill more ducks and geese, under the name of "public shooting grounds." And all the "game refuges" were so many possibilities for public-shooting grounds!! On March 29, 1924, the Secretary of Agriculture, Hon. Henry C. Wallace, frankly described the bill, in an official report to the House, in the following terms. He said:

It "would maintain for the benefit of residents in both country and town *large opportunities for continued wildfowl shooting that will be impossible in any other way.* It might, in fact, be stated that it would provide *Federal shooting clubs* for the benefit of the general public *at the nominal cost of a Federal hunting license of \$1 a year.*"

To this very truthful description we add that in practical effect the bill provided that Uncle Sam should be the founder, custodian, and manager of those dollar-a-year "shooting clubs," and responsible for all the clubhouses, restaurants, boats, guides, and decoys that the abounding dollar-a-year duck shooters would expect and demand! Although for four years quite overlooked in Congress, this state of fact never has been denied. All the above became of keen interest later on (1927), when its true inwardness was exposed in the United States Senate.

In addition to the foregoing features, the text of that bill provided that the Secretary of Agriculture should have the power to permit hunting in any or all of those "game refuges" whenever he saw fit. Do you get the full force of that?

At this point it is well to observe that this odious measure was not by any means the product of "the *sportsmen* of the United States," nor of any persons chosen by them; but it was doped out by three professional regulators of game-killing, one of them in the Association created and maintained by the manufacturers of guns, gunpowder and loaded cartridges. The other two were ensconced in the Bureau of the Department of Agriculture that creates the annual game-killing Regulations, *and that would handle all of the millions of dollars that would accrue from the operation of the act!* Do you get that? Those two interests framed the bill, had it introduced in Congress; and for six years they vigorously led the fight for its enactment into law.

To the interests of wild life this measure eventually proved to be the most vicious and damaging factor that ever came before Congress. As a hindrance to constructive conservation it must have caused the loss of uncountable thousands of ducks and geese that should have been saved for breeding.

ON JULY 1, 1923, Dr. Hornaday launched an intensive campaign to arouse all American sportsmen to the decrease and progressive extinction of game, and the necessity to make at once "large reductions in bag limits and open seasons," everywhere in the United States where no reductions

had yet been made. He issued a one-page "Warning to Sportsmen," which was warmly received and conspicuously published by *Nature Magazine*, *Outdoor Life*, *Parks and Recreation*, *The Literary Digest*, *The Review of Reviews*, and finally *more than 700 newspapers*. The owner of *Field and Stream* flatly refused to sell for it an advertising page even at the regular advertising rate, which was \$400 per page! Through the active and generous support of Mr. J. A. McGuire, the "Appeal to Sportsmen" went conspicuously into the hands of all the readers of *Outdoor Life* for August, 1920, covering the vast Middle West, and reaching far into other fields.

DECEMBER 12, 1923. This date marks the outbreak of an attack in force, by a hostile Combine, on the reform campaign then formally launched by Mr. Hornaday at the annual meeting of the Advisory Board to the Department of Agriculture, at the Cosmos Club, in Washington. The attack was precipitated by the offering of his resolution recommending to the Secretary of Agriculture the making of "large reductions in bag limits and open seasons on migratory game, to reduce by 50 per cent. if possible the killing of migratory game birds."

The attack on the resolution was led by John B. Burnham, Chairman of the Advisory Board and President of the American Game Protective Association, in a carefully prepared paper. *No one said one word in favor of anything in the resolution, save the proposer of it!* All remarks made were in flat-footed opposition to the whole of it. Dr. E. W. Nelson previously made a sensational scare statement about the scarcity of duck food in the South, citing alleged cases of half-starved ducks; and he made the prediction that if ducks became more numerous than they then were, *many ducks would die of starvation!* This so frightened the delegate from Minnesota that he openly "threw up his hands," and voted against the resolution that until then he had intended to support.

No one made any effort to amend the resolution to make it acceptable. It was savagely voted down as introduced, by a vote of 17 to 2. Mr. E. H. Forbush was the only person who voted with Mr. Hornaday in favor of the measure.

MARCH 1, 1924. With a severance of all campaign relations with the organizations concerned in the defeat of our resolution of December 12, 1923, but with no active hostility on our part to their public-shooting-grounds pet measure, the Permanent Fund set out to go its own way in an independent campaign for bag-limit and open season reductions on all migratory game birds that stood in need of them. For a short time it was hoped that there would be no actual warfare between the promoters of the public-shooting-grounds bill and ourselves; but that hope soon proved illusory.

On March 1 we published No. 1 of our newly-created conservation newspaper called "Our Vanishing Game," which was devoted to an exposition of the specially imperiled species, and the means being employed in their destruction.

MAY 27, 1924. The Permanent Wild Life Fund addressed to Secretary of Agriculture Wallace a formal "Request for Federal Action for Immediate Reductions in the Slaughter of Ducks and Geese." The Secre-

tary's reply expressed interest in the subject, and declared an intention to assemble as many facts as possible regarding wildfowl abundance or scarcity, and lay them before the Advisory Board at its next meeting, and submit the question to it. The Secretary declared that "no definite action in the matter can be taken at this time." But in reality there was ample time in which to amend "Regulations" not to become effective until September 15!

JULY 1, 1924. "Our Vanishing Game" No. 2 was published, announcing that "The President's National Conference on Outdoor Recreation adopted, unanimously, our Killing-Reduction Principle." Yes; so it did. But on the end of a perfectly good resolution was hung a nasty little joker of two words, "*whenever necessary*." At once that was used by our enemies to nullify the whole resolution! We never could make our enemies admit that any reductions were "necessary."

DECEMBER 7, 1924. In December, 1924 and the spring of 1925, Mr. Hornaday met with a deplorable accident in his relations with the *Chief of the U. S. Biological Survey*, Dr. E. W. Nelson. The story of it is illuminating as an exhibition of ways and means.

Despairing of action by the Secretary of Agriculture, in December, 1924, the writer made ready to introduce in Congress a mandatory bill to reduce the federal bag limits on migratory game, by approximately 40 per cent. from the existing figures. This meant cutting every bag limit of twenty-five per day down to fifteen.

Just as that plan was about to be carried out, Dr. Nelson invited Mr. Hornaday to meet him at a luncheon conference in a New York hotel. In the hope of reaching a working agreement that invitation was accepted; and the conference occurred on December 7. At the end of three hours of friendly talk, Dr. Nelson said, in his most frank and engaging manner:

"Now, the fact is I believe that the bag limits on migratory game should be reduced. John Burnham thinks so, too."

"I am most pleased to hear you say that," said I. "I never heard either of those facts before this moment."

"Yes, it is true. But about one thing I am troubled. I am not able to make up my mind what the figures should be. But there is a way to remedy that. We will make an immediate inquiry into the waterfowl situation, by means of a questionnaire, and obtain a lot of definite information. With a mass of new facts before us, we can easily decide what the reduction figures should be."

I asked: "Can you do this in time to get the reductions into the next issue of your annual hunting 'Regulations'?"

"Oh, yes. We can. There will be ample time for that."

MARCH 4, 1924. William N. Jardine became Secretary of Agriculture.

That "nation-wide investigation" was made. Early in 1925 that questionnaire was sent out to over 3,000 persons, "to State Game Commissioners, sportsmen, conservation societies, many of the Department's field representatives, and others, and also published in sportsmen's magazines and periodicals." (W. N. J.) Quite a serious undertaking, was it not? Now mark the result.

Promptly the replies came in. They were stacked up in Dr. Nelson's



SENATOR ROYAL S. COPELAND



REPRESENTATIVE SCHUYLER MERRITT

The first sponsors of the once unpopular Bag-limit Bill

office; and from that day to this *no report whatsoever of the results of that "investigation" ever has appeared!* Not one word of Dr. Nelson's promise to me regarding bag-limit reductions on ducks and geese was kept! Did the results fail to reveal the kind of evidence that some one wished them to reveal? Was there too strong a flavor of game decrease and scarcity?

MARCH 20, 1925. The Chief of the Biological Survey announced in a letter to A. E. Burgdoff, of the Oregon State Game Commission, that the Department of Agriculture would make no changes in bag limits on ducks and geese, and it shifted the responsibility for reduction to the states, saying that they might do as they pleased about it.

MARCH 15, 1926. Senator Royal S. Copeland introduced in the Senate (S. 3580) at the request of the National Committee of One Hundred, a bill to reduce various bag limits on migratory waterfowl, shore birds and marsh birds, to "retard their extermination." Referred to the Senate Committee on Agriculture and Forestry.

MARCH 16, 1926. Representative Schuyler Merritt introduced in the House of Representatives House Bill No. 11275, at the request of the Permanent Wild Life Fund. It was a duplicate of the Copeland bill (S. 3580), to reduce bag limits on certain species of migratory game birds, and for other purposes.

APRIL 29, 1926. The old Public Shooting Grounds bill was attacked in the House of Representatives by Representative F. H. La Guardia of New York, and severely punished.

MAY 24, 1926. The old "game refuge bill" came up in the Senate; and Senators William H. King, of Utah, and C. C. Dill, of Washington, vigorously opposed it in devastating speeches. The motives of the bill and its professional backers were attacked, and many secret records were exposed. The desires and efforts of the American Game Protective Association to promote the business interests and protect the profits of the manufacturers of arms and ammunition by working for the bill were revealed by the reading and printing of correspondence. The bill was so badly damaged that it quickly disappeared from public view. But one other effort ever was made to revive it. Concerning it, the following summary was published by *Forest and Stream*:



REPRESENTATIVE F. H. LA GUARDIA  
Who began the final fight on the old "game refuge bill"

"For five years, to the exclusion of other conservation legislation, the bureau officials kept before Congress a bill that would have created an overlordship of the sportsmen of this country. They asked for the power to levy taxes, and to make rules and regulations that would have the force of law. They demanded the power to compromise fines, and to remove those whom they might arrest from the districts in which they lived, and try them before federal courts in other sections of the country. These autocratic powers Congress refused to enact."

DECEMBER 12, 1926. The Advisory Board of the Department of Agriculture, which in 1923 eagerly voted down the Permanent Fund's resolution to reduce certain game-killing privileges of sportsmen, *reversed itself*, by a vote of 16 to 2 in favor of universal bag-limit reductions on ducks from 25 per day to 15, and on geese from 8 per day to 2. The Secretary of Agriculture, Mr. Jardine, completely ignored this action, and continued to oppose the reform.

JANUARY 19, 1927. In a public hearing on the bag limit issue, held in Washington by Assistant Secretary Dunlap, of the Department of Agriculture, Dr. E. W. Nelson exhibited a map, and made a lengthy statement, in which he admitted that "on areas 1 and 2" (comprising what seemed to be about five-sixths of the United States), waterfowl were "scarce," and "decreasing"; but on the remaining one-sixth, called Area No. 3, "of winter concentration," "they were more abundant." This declaration seemed to foreshadow some favorable action; and shortly afterward the public learned of a mysterious (and soon discredited) circular



announcing bag limit reductions on western waterfowl! Because of this favorable change in spirit the record of the Survey was not strongly attacked in the bag limit Hearing of January 20, *as it otherwise would have been!*

JANUARY 20 AND 25, 1927. The Senate Committee on Agriculture granted hearings on the Copeland bag-limit bill, Hon. Charles L. McNary, Chairman. The bill was supported by:

Senator Royal S. Copeland,  
Edmund Seymour, National Committee of One Hundred,  
William Nesbit, National Committee of One Hundred.  
Clarence W. Rowley, National Committee of One Hundred,  
William T. Hornaday, Permanent Wild Life Fund, and  
Frank Winch, of Washington, D. C.

The bill was opposed by the following persons:

Dr. E. W. Nelson, U. S. Biological Survey,  
Talbot Denmead, U. S. Biological Survey,  
Charles Sheldon, Boone and Crockett Club,  
John P. Holman, National Association of Audubon Societies,  
Senator Frederick Hale, of Maine,  
Senator Hiram Bingham, of Connecticut, and  
Stanley C. Arthur, Louisiana State Department of Conservation.

MARCH 26, 1927. The public learned through a press bulletin of the Department of Agriculture that on March 17 that Department had announced that "to safeguard the future supply of ducks, geese, and other migratory wildfowl of the western states requires that increased restrictions be placed on hunting privileges"; and "Sportsmen are asked to Cooperate in Upholding Shooting Restrictions in Western States." To secure that end "Dr. Nelson calls upon all sportsmen to cooperate with the Department in any action it may take in restricting the annual number of wild ducks and other migratory game that may be taken by hunters." (Two months previous to that announcement Dr. Nelson appeared before our Senate hearing in vigorous opposition to our benevolent and helpful proposal that Congress should share the responsibility for drastic regulations such as that one was!)

But straightway somebody got busy, and something happened in the Department which upset Dr. Nelson's very sensible and desirable plan.

ON APRIL 5. Only three weeks later, that same Department, and the same Dr. Nelson, came out (much ahead of time) with another press bulletin announcing the new Regulations for Hunting in 1927-1928, and saying, "*No changes are made in existing regulations affecting the length of seasons or size of bag limits on ducks and geese.*" And there were no explanations of the volte face.

Thus for the second time was the pledged word of the chief of the Biological Survey repudiated; and again Secretary Jardine and the Survey stalled on their job.

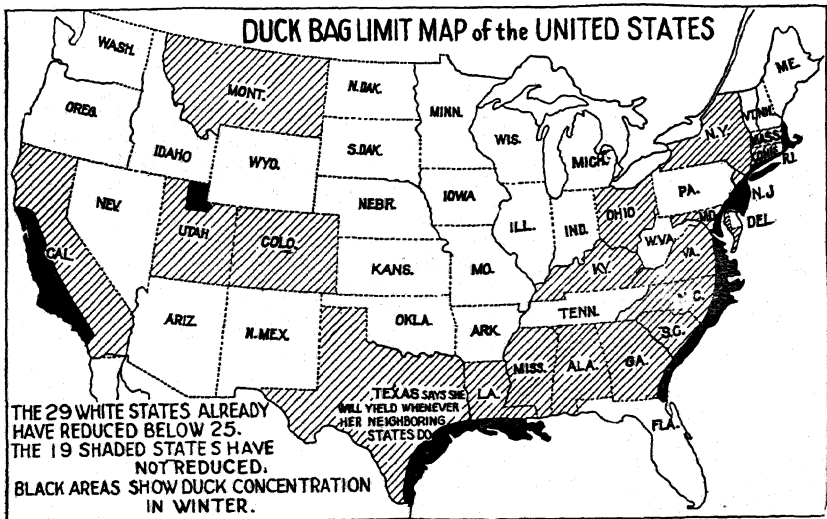
MAY 6, 1927. Having reached the age limit, Dr. Nelson retired as chief of the Biological Survey, and Secretary Jardine appointed as his successor (from the U. S. Forest Service), Mr. Paul G. Redington. Ac-

cording to his own testimony on January 28, 1930 (at a hearing on the Haugen bag-limit bill before the House Committee on Agriculture), one of Chief Redington's first official acts was to advise Secretary Jardine of the necessity for a widespread series of monthly observations on ducks and geese, and monthly enumerations of their occurrences. It was declared that to be of any value this census enumeration scheme must be operated continuously "throughout a term of years." Without it, Mr. Redington said, he would not know what to recommend in regard to bag limits and open seasons on waterfowl.

Mr. Redington at once set about carrying his plan into effect; and objections were filed with the Senate (by the Department of Agriculture) against any action on the Copeland bag limit bill pending that duck-counting operation, of undeterminate length. This caused the Copeland bill to be held up in Congress *for three full years*, from the spring of 1927 onward to the end of 1929!

When Mr. Redington became Chief of the Biological Survey, on May 6, 1927, he found awaiting his use an immense store of written and indexed facts regarding the status of wild life in North America. In an article in the Saturday Evening Post (February 19, 1927), Dr. E. W. Nelson wrote as follows regarding the wild life records of the Biological Survey:

"A GREAT RESERVOIR OF DATA. In addition to the information gained by the official staff of the Survey, a great mass of facts has been supplied by voluntary cooperators among sportsmen and nature lovers, numbering thousands of individuals and covering the entire country. From these various sources, information files on the bird life of this con-



AS THE DUCK MAP WAS ON DECEMBER 1, 1929

The McNary-Haugen Bag-limit Bill must permanently clear this map, or it never will be done.

tinents have been built up. These now comprise well above 1,500,000 cards, in addition to voluminous manuscript reports—making an unparalleled reservoir of data on this subject.”

Now let Mr. Redington square that with his imperative need for an opera-bouffe census enumeration, while bag limit reform was forcibly held back, indefinitely, to await the results of the new duck-counting *industry*.

ON MARCH 4, 1929, Hon. Arthur M. Hyde (Missouri) became Secretary of Agriculture. On April 26, in ample time for action on the hunting regulations of 1929, W. T. Hornaday appealed to him for new Regulations making bag limit reductions on waterfowl; and he attached a chronology showing the record of the inaction, and stalling, and buck-passing indulged in in the Department of Agriculture on game-killing privileges during the previous four years. Between April 1 and October 2, the following other persons made similar appeals: Harry McGuire of *Outdoor Life*; Edmund Seymour, National Committee of One Hundred; W. F. Woodward, Portland Oregon; and the New Jersey State Audubon Society. Up to December 1 all answers received were refusals.

ON OCTOBER 30, 1929, Senator Charles L. McNary, Chairman of the Senate Committee on Agriculture, introduced in the Senate a bill (S. 2015) to reduce bag limits on migratory game, and sent a copy to the Secretary of Agriculture with a request for a departmental report.

ON NOVEMBER 18, 1929, Hon. Gilbert N. Haugen, Chairman House Committee on Agriculture, introduced in the House a duplicate of the McNary bag-limit bill (H.R. 5278) and upon it requested a report from Secretary Hyde.

DECEMBER 31, 1929, *the last day* of the turbulent third decade of this century, Secretary Hyde suddenly announced in a bulletin to “the press” that he would reduce all bag limits on waterfowl to a maximum of 15 per day on ducks, 4 per day on geese, and a total of 30 ducks and 8 geese in possession! Fine!! A victory at last! But the period of this regulation was declared to be “for the next season,” only. Was it, or was it not, to be a Dead Sea apple, that would in one year turn to ashes?

This Regulation, good-for-one-season-only, leaves the Biological Survey in nominal possession of the battlefield, and automatically due to come once more (on Feb. 1, 1931) *into full possession of its old position!* Do you get that? *On the date named the “one season” regulation will expire!* Beware! Some competent judges interpret the action announced on December 31 as having been inspired by a fear that the McNary-Haugen bill *might become a federal law*, and thus deprive the Biological Survey of some of its sweeping legislative power and patronage over 7,500,000 hunters and their killing privileges on migratory game birds.

ON JANUARY 27-29, 1930, the House Committee on Agriculture held Hearings on the Haugen bag-limit reduction bill (H.R. 5278). Precisely as was expected of the combine that backed the Biological Survey in all of its 6 years of stalling operations, the opposition opposed the bill, as usual. It was registered by the appearance of the following persons and organizations:

Paul G. Redington, for the United States Biological Survey.

T. Gilbert Pearson, for the National Association of Audubon Societies.

Marshall McLean, for the Camp-Fire Club of New York.

John C. Phillips, for the American Wild Fowlers.

George D. Pratt, of New York, and

Seth E. Gordon of the Izaak Walton League.

It was announced for Mr. Carlos Avery that he would "send a written communication" (in opposition to the bill), from the American Game Protective Association.

*The Izaak Walton League.* The unfortunate appearance of Mr. Gordon, Director of Conservation, has attracted attention to the strange policy of the Izaak Walton League, which has been manifested on several occasions since the Second National Convention of 1924. At that time the Convention body very emphatically passed a resolution declaring for a *federal bag limit of 10 on ducks*; which action was afterward omitted by the high officers (other than Will H. Dilg) from the reports of the Convention! It looks as if the general membership body of the Izaak Walton League was positively and determinedly *in favor* of drastic bag limit reform, and a majority of the National Executive Committee was not! There is some evidence available on this point, but it is not necessary to record it here.

The point is that in spite of the high officers who at times seem unfriendly toward bag limit reductions, the great body of members who attend the annual conventions of the League really *DESIRE* game-killing reform, and are not afraid to register their demands for it in terms that the Executive Committee hears, understands, and cannot wholly ignore. The fine resolution adopted by the Seventh Convention, on April 20, 1929, and at once reported to *Outdoor Life* by Fred N. Peet, National Secretary, was a highly helpful action in support of real game conservation. Personally, we regard the appearance of Mr. Gordon in opposition to the Haugen bill as an act representing individual, not general opposition to our bill.

JANUARY 28, 1930. *The Breakdown of the "Duck Census."* The Biological Survey officially appeared at the House Agricultural Committee hearing—not to inform Congress about something—but really to *oppose a possible curtailment of the Survey's sweeping autocratic power over the killing of federal game*. The Survey's testimony proved that after a very widely advertised three-years' effort, with extensive travel, and the co-operation of "several thousand" of alleged enumerators, the enumerators had dwindled down to a present total of 348, and Mr. Redington found himself before Congress with absolutely no new useful or important information to impart. His statement that "ducks decreased in 1928" was not new. Millions of men knew that long ago. And the impossible difficulty in enumerating the ducks of North America was very well known to millions of men when the absurd performance began. The Redington plan contemplated 12 *enumerations per year*!

In a very considerate way, Representative Andresen did not ask Mr. Redington for the results *in figures* of his "counting" of ducks. That would have been embarrassing. His question was:

"What is the *estimated* number of migratory birds, according to your survey?" And Mr. Redington replied, in part as follows:

"That is very difficult to say. We estimate that there is probably a killing of birds in this country somewhere between 10,000,000 and 13,000,000 a year. Now, it is very difficult to estimate the total population."

"However, assuming that an annual kill of ducks in the United States each year by Hunters is from 10,000,000 to 13,000,000, we might, from our banding records in waterfowl, estimate these to be approximately 12% of the total wildfowl population. In other words, a rough approximation of the wildfowl population of North America might be between 80,000,000 and 100,000,000." (See page 42 of the Report.)

"There is no other organization in the country in possession of as much information relating to wildfowl conditions in North America as is the Biological Survey. It is in touch with people everywhere throughout the range of the birds—not only on the breeding-grounds but on the shooting grounds as well, and through the reports of its own men, its cooperators and from the facts it has gathered from other sources, it can balance one set of data against another, and come to a more judicial decision than could any other organization or group of individuals that might be enthusiastically urging action along the particular lines in which they are most interested." (Page 39, Hearings.)

And now, behold! as the product of the above conditions, and three years of intensive travel and some duck-counting labor, nothing but a wild and fantastic guess of "between 80,000,000 and 100,000,000" for the wildfowl population of North America. Why not call it 100,000,000,000, so long as ciphers are so cheap?

Concerning this "bird census" debacle, we are honestly sorry. It does not reflect any credit whatever upon the presumptively-scientific bureau that started it. That any person of judgment should take it seriously seems wildly impossible. Because of its use in stalling our reform legislation for a Nelson-Redington total of 5 years, we believe that it should be charged with the waste of 1,000,000 waterfowl that would have been saved for breeding had our bag-limit reform gone into effect in the spring of 1925, as Dr. Nelson promised that it would.

#### THAT "BRANT" BUSINESS

When through fear of the passage by Congress of the McNary-Haugen bag-limit bill the Biological Survey surrendered on December 31, 1930, on waterfowl bag limits, we felt compelled to look that gift horse in the mouth. We pointed out that the reduction promised was for "the next season," only, and that what would happen after that was beyond the foreknowledge of man. At the Hearing on January 27, 28 and 29, 1930, we demanded the passage of the Haugen bill, to settle the bag limits on about 35 species of migratory game for an indefinite number of years; and we think that Chairman Haugen and Representatives Kincheloe, Menges, Garber, Andresen and others were (and are) decidedly in favor of the stabilization demanded by the bill. Read the questions they asked at the Hearings of January 27 to 29.

But the bill has not yet been acted upon. The Interlocking Directorate strongly opposed it. Mr. Pearson calls it, in "Bird Lore," "an unnecessary bill." The opposition of the Audubon Society was backed by the Survey, the Izaak Walton League, the Wild Fowlers and Camp-Fire Club, and now note how quickly our tears about what the Survey might do next have been justified.

On January 28, 1930, Chief Redington announced to that House

Committee on Agriculture that "regulations HAVE BEEN ADOPTED" to "provide for a reduction in the bag limits effective at the beginning of the next season. In case of ducks the reduction is from 25 to 15 a day, and of geese, from 8 to 4 a day. A possession limit of two-days' bag has been established." (Quite definite, was it not?)

Fine! That was in accord with the "press-bulletin" statement issued by the Survey on December 31, 1929. And then what happened—to the regulations that already had "been adopted"? Simply this new and very different idea:

The new "Regulations for 1930-31," issued last September, promulgated and legalized a killer's privilege of "4 geese and 8 brant" per day. In other words, the limit on geese then created and promulgated, in violation of the *pledges* previously made to the public, provides for the killing of 12 geese per day—provided 8 of them are "*brant*"!

Will any ornithologist, or any sportsman who owns a copy of any modern book on our game birds, now come forward and say over his signature that a "brant" is not a goose, just as much as the honker or the snow or the white-front is a goose? (If the brant is not a goose, then the "broadbill" is not a "duck"!)

Of the 8 species of North American geese, composing the "Subfamily ANSERINAE," numbers 6 and 7 are Brant *geese*, neither more nor less. The whole list is as follows:

#### SUBFAMILY ANSERINAE—GEESSE

(After E. H. Forbush, 1925)

|                          |  |
|--------------------------|--|
| Snow Goose .....         | Chen hyperboreus hyperboreus (Pallas)    |
| Greater Snow Goose ..... | Chen hyperboreus nivalis (J. R. Forster) |
| Blue Goose .....         | Chen caerulescens (Linn)                 |
| Canada Goose ..          | Branta canadensis canadensis (Linn)      |
| Hutchins Goose .....     | Branta canadensis hutchinsi (Rich)       |
| Brant .....              | Branta bernicla glaucogastra (Brehm)     |
| Black Brant .....        | Branta nigricans (Lawrence)              |
| Barnacle Goose .....     | Branta leucopsis (Bechstein)             |

And actually, the 2 brant species belong to the same Genus, *Branta*, as do the Canada, Hutchins and barnacle species. There is absolutely no room for argument about the goose status of the brant.

And now what is the result?

It is exactly what you naturally must expect. The state regulations have been thrown into a sad mess. Apparently some of the states will not consent to the killing by their sportsmen of the absurd and wasteful limit slipped over at the LAST MINUTE by the Biological Survey. Here is what is happening today:

|   |   |
|---|---|
| 32 states are killing 12 geese per day. | 4 states are killing 8 geese per day.     |
| 1 state is killing 10 geese per day.    | 3 states are killing 5 geese per day, and |
| 6 states are killing 4 geese per day.   |   |

This means that only 4 states are carrying out the decision which Chief Redington described on January 28 as "regulations that have been adopted." And now I would like to ask every American sportsman just what he thinks about this brant business, and whether he thinks the McNary-Haugen bill is a necessary bill or not.

## CHAPTER XV

## ORGANIZED OPPOSITION TO GAME-KILLING REFORMS

*"The toad beneath the harrow knows  
Exactly where each tooth-point goes."*

The items of current history assembled in this chapter are for the use of Congress in figuring out the future of our game birds, both federal and state. They should now be of special interest to the Senate and House Committees on Agriculture, and also to the Walcott-Hawes Special Senate Committee on Wild Life Protection which now is faced by some grave responsibilities. It is reasonably certain that a concise history of the recent past will be found helpful in rounding up the needs of the immediate future.

The defense of American game against excessive killing assuredly is a life-or-death matter. The defenders have no need to apologize for claiming public attention in defense of the harassed and persecuted wild creatures who cannot fight nor talk for themselves. We of the defense expect opposition from some of the most reckless and defiant of the men who kill, and from the most hard-boiled of the men whose business and cash profits are to be seriously affected by laws for less killing. We are not peeved by their appearance at hearings, or in the public prints; because their opposition is natural and expected.

But there are some persons now active in defense of the game-killers and the commercialists to whose existence we most seriously object. They are the organized defenders of big killing privileges, who take the field clad in the uniform of Conservation, and carrying banners of false pretences. We refer specifically to all of the alleged "conservation" associations, societies and clubs which from 1923 down to the end of 1929 bitterly and persistently fought against bag limit and open season reductions, and in defense of the autocratic power of a stalling Biological Survey. We apologize for the necessity to print this chamber of horrors, but it is for the best interests of wild life that these facts should appear in these records. It is necessary that Congress should now note the fact that the big kicks against bag-limit reductions during the past six years have come not from the waterfowl hunters themselves, *but from the professional "conservationists," of alleged bird-saving organizations!*

*The Opposition to our Bag-Limit Objective*

On December 12, 1923 there set in a horrid nightmare in federal game conservation. On that day the power around the throne in Washington was thrown off its mental balance by horrid dreams; and their paralyzing spell continues to this day. The effect of this upon the game of North America has been calamitous; and the end is not yet. Up to

date there are no signs of any real awakening on the part of those who once were good conservationists, but failed to keep the faith. The sane sportsmen of the West, Congress, and the "fanatics" of the East have made some progress, but only by forcibly driving through the ranks of the Opposition.

By the time all of our native American game birds are dead, possibly the Opposition will have learned that the first and best way to begin measures to "save" game is to stop the utterly unreasonable killing of it. Meanwhile, the Great American Nightmare looms over us all. For 17 years we have said, over and over, that bag-limits alone cannot save the killable game on a continuing basis; and now we say it again.

Inasmuch as the past 7 years of nightmare in game protection was at first horribly successful, and inflicted great damage upon the wild life of the nation, it is manifestly impossible for anyone who writes any history of United States wild life from 1920 to 1930 to ignore it. Moreover, the end is not yet. The old sportsman-protecting combine still lives, and still menaces the march of progress. As an openly hostile factor, it must again be dealt with by Congress. Congress has been showing its members entirely too much consideration.

This dispassionate history will not be set down in any heat of resentment, or in payment of any ancient grudges whatsoever. Individually, I have settled all my accounts with the opposition as we went along, and so far as I am concerned I have no call to "look backward." It is, however, our duty to record certain facts because of their bearing upon the future of wild life in our country. I am sure that never in recent times has the world observed outside the armies of China such amazing treachery of defense arms as occurred in spots from Boston to Washington between the years 1920 and 1930.

#### *The "East" and "West" of Game Protection.*

Throughout every moment of the past five years, or from January, 1926 onward, a great gulf has existed between the sportsmen of the East and those of the West. The north and south boundary line is somewhat indefinite, but I should locate it on the meridian of the western boundary of Pennsylvania; but with this reservation: Both in spirit and in action, Pennsylvania, Vermont, New Hampshire and Maine are to be classed with the western states. In what I now have to remark about "the East" I wish the reader to consider that those four states are distinctly out of it.

Seven years ago, in more ways than one, but at first through the bold initiative of Mr. J. A. McGuire and *Outdoor Life*, we found that great masses of western sportsmen saw straight and clearly the disappearance of game, and the necessity to do something worth while about it. After them, the western and northwestern State Game Commissioners registered similar observations and opinions; and many western state legislatures promptly passed laws making for less killing of waterfowl.

The powerful cartoons of "Ding" (J. N. Darling), a real sportsman familiar with conditions in Iowa and "all points West" told in 100 newspapers volumes of truth, and shocked millions of men into wakefulness. Look at the maps of duck-shooting reform that we published widely from 1926 onward.



All that time, however, the sportsmen of "the East" were floundering in a swamp of misinformation, bad leadership and contempt for the game of the nation as a whole. *They* could "kill ducks"; so why worry? *They* were easily convinced that ducks were "plentiful," and "increasing," and that the destruction of game had been "solidly checked." For these reasons they stood (except the four exceptions) in solid phalanxes against the most important game killing reforms. They were backed by 250 millions of invested capital, lots of spending money, iron-clad influence in Washington—so why should they worry?

The sportsmen and other people of the West should take careful note of this hard-boiled attitude of the East. It is important.

In the West, there is now in some quarters the greatest state of alarm about the disappearance and progressive extinction of game that ever has existed. I am solemnly assured by a Western Man who knows things, that many of the best men of the West are talking about a measure that I really do not have the courage to mention in this book! The idea is new to me—and if it is seriously proposed, the protests from the foggy East will be long and loud. That proposal will make our open-season reduction demand look like a bunch of roses! Let the East beware how it knocks on our open-season reduction issue next winter! The organized sportsmen of the East will do well to now consider where they stand, and make up their minds to turn over some new leaves in constructive conservation, both federal and state.

For six full years the Combine of opposition described herein unitedly, determinedly and very resourcefully fought our bag-limit reduction issue in the Department of Agriculture, the Advisory Board, in both Houses of Congress, in the National Conservation Congress, in Field and Stream Magazine, a few newspapers, in the New York legislature and in eastern clubs of sportsmen too numerous to mention. They caused a delay of *seven years* in nation-wide bag-limit reduction, and in my opinion were directly responsible for the destruction of at least 1,200,000 ducks and geese that should have been *saved as breeding stock*.

#### THE OPPOSITION FORCES

In 1920 there existed three large forces that with great labor and expense had been assembled between 1900 and 1920 *for the protection and increase of game and other wild life*, plus the perpetuation of legitimate sport. Those three armies were composed as follows:

1. *The Federal Official Force*, consisting of

The United States Department of Agriculture, and its Bureau of Biological Survey, and the Advisory Board to the Department of Agriculture on the Migratory Bird Treaty Act.

In 1912, and again in 1918, Congress deliberately vested in the Secretary of Agriculture vast legislative and executive powers over sportsmen and methods in the killing of migratory game, all of which was, within certain limits, *absolutely discretionary with the Secretary and the Biological Survey*.

2. *The Manufacturers of Sporting Arms and Ammunition*

A. In his speech of May 21, 1926, Senator King showed (*for the first time in public*) that when this force was organized in 1911, and created an Association to act as its agent, it consisted of 11 units, each subscribing according to its means. The full list of members of this gentlemen's agreement combine of 11 units was originally as follows:

American Powder Mills, E. I. du Pont de Nemours Powder Co., Marlin Fire Arms Co., Peters Cartridge Co., Remington Arms-Union Metallic Cartridge Co., Selby Smelting and Lead Co., J. Stevens Arms and Tool Co., United States Cartridge Co., Western Cartridge Co., and Winchester Repeating Arms Co.

B. In 1911 those corporations organized and financed *The American Game Protective Association* of 233 Broadway, and chose Mr. J. B. Burnham to serve as its president, at a salary of \$5,000 per year. The income "guaranteed" was \$25,000 per year. That Association was charged with all the game protecting activities of its founders, who maintained full control of it through the presence of 7 of their employees in its Board of 12 Directors.

One of Senator King's documents recited the fact that on November 14, 1923, in support of the old public-shooting-grounds bill, it was decided that the Remington Arms Company would prepare and send out a list of approximately 90 *thousand* letters on the American Game Protective and Propagation Association's stationery, "asking support for the bill." And Senator King declared that "about 275,000 letters were mailed out by the gunmakers to create 'sentiment' for the public-shooting-grounds bill."

C. In 1927 those corporations formed, as their clearing house for "wild life protection" activities, the Sporting Arms and Ammunition Manufacturers' Institute of New York. Individual corporation subscriptions to the A. G. P. A. then ceased, but the Institute continued to contribute annually to the funds of the Association. In that same year of presumptive divorce the Association received the comfortable sum of \$10,000—almost double the entire income of the Permanent Fund.

D. The *National Game Conference* was formed, and permanently financed through the American Game Protective Association, and up to 1929 it steadily supported the game-killers and the academic "game protection" policies of the Combine. It enlisted wide cooperation from State Game Commissioners, but for 16 years it was careful to touch no sportsman's killing privileges!

### 3. *The Volunteer Army of Big-Bag-Limit Defenders.*

The units forming this army originally were formed and financed by good and sincere friends of wild life, for the defense and increase of birds of all kinds save the "pests," and also for the benefit of the big game animals, generally. The most important divisions were:

The National Association of Audubon Societies (now with a very large annual income),

The Camp-Fire Club of America,

The American Wild Fowlers,

Field and Stream Magazine, New York, and

Many eastern sportsmen and private preserve owners.

An analysis of the motives of the eight forces listed above shows three of commercialists and four of professional bird and game "conservationists." Both groups are powerful, but the alleged "conservationists" do by far the most harm to North American game.

It is natural for the Biological Survey to fight for its own interests, as expressed in appropriations of money, prestige and autocratic power. Its vigilance in defense of those three assets is really amazing. Its publicity bureau manifests sleepless diligence in keeping the Survey sold to the public. All this is understandable.

It is also possible to understand the chief motive of the American Game Protective Association—loyalty to employers in the past, and the chief source of revenue in the present.

The devotion of the Wild Fowlers is understandable when we stop to remember that it was organized by the late Charles Sheldon, author of that "Infamous Bulletin No. 6" of the Audubon Association. To Sheldon "the Survey" could do nothing wrong.

The most mysterious and objectionable opposition is that of the National Association of Audubon Societies, founded on a high plane "for the protection of wild birds and animals." Apparently Time alone will reveal the hidden springs that for seven years have poured forth a muddy stream to help overwhelm the migratory game birds of North America. For seven years that Association worked hard to help pass the old more-killing "game refuge bill," which was buried deeply in 1928. For six years it savagely fought bag limit and open season reductions and it fights the former today by opposing the McNary-Haugen bill; but today that bag-limit opposition stands beaten and discredited.

Finally, the mass performances of that Association provoked a pamphlet of stern but just protest, entitled "Compromised Conservation." It was written by Mr. Irving Brant, and published by Mrs. Rosalie Edge (a life member), and an Emergency Committee, of New York, of which Mr. Davis Quinn is Secretary and Treasurer. So far as the present writer has been able to observe, all the alleged facts stated in that pamphlet are historically true, and the conclusions drawn from them are just. "Bulletin No. 6" was "infamous"! And it did much harm—because of the Audubon Association's vouching imprint upon it.

In September, 1930, the writer received an invitation to become a member of that Audubon Association, and the invitation was accepted, about one month in advance of the recent annual meeting, on October 28. It seemed to be high time for me to make a serious effort to build a pontoon bridge (in seven sections) over which that unfortunate organization might march out of the pestilential swamp in which it had been floundering for seven years, put its past behind it, and once more stand upon solid ground. We conceived that we owed such an effort to the memory of William Dutcher.

With those ends in view, we built our bridge in the form of a resolution with 7 planks. If adopted, it would mean a new dispensation. It was as follows:

## RESOLUTION FOR CONSTRUCTIVE CONSERVATION

WHEREAS the increasing perils and destruction of the birds of the United States now call for many new and more effective measures for their defense, and in recognition of these conditions, and the new obligation that they create, be it now

RESOLVED, that the National Association of Audubon Societies hereby declares its intention to actively advocate and support the following constructive measures for the protection of the birds of North America:

FIRST—The shortening of all state and federal open seasons on waterfowl from the present twelve or fourteen weeks to a maximum of eight weeks;

SECOND—The stoppage of the practice of baiting waters or lands to entice game birds within gunshot range;

THIRD—The prevention of the use of live birds to decoy their own or related species to their death;

FOURTH—The passage of the McNary-Haugen bill, to secure permanence in bag-limit reductions on about 35 species of game birds, for several years;

FIFTH—The encouragement of all states wherein quail hunting is not yet a dead sport to save their quail from extermination by shooting;

SIXTH—To stop the shooting as "game" of the beautiful and sweet-singing migratory Red-winged Blackbird in the District of Columbia, as practiced there for the past ten years, throughout five months of each year, under federal authority;

SEVENTH—To encourage and promote measures for the better enforcement of the excellent wild life protection laws already in our federal and state codes.

The interlocking directorates were fully represented at that meeting of the Audubon Association. The interlockers stood firmly shoulder to shoulder, and vociferously endorsed all of the past performances of the president and directors of that Audubon organization. No one on that side endorsed our resolution, or attempted to secure its adoption. Therefore, next winter we expect to meet in Washington "the same old Cassius" of game-hog defense, and all the old champions of big killing privileges. Our open-season reduction demand for the benefit of waterfowl will be opposed, just as our bag-limit measure was fought for *six years*, by the interlocking directorates. Already the Audubon Society preens itself on having opposed the McNary-Haugen bill as "an Unnecessary Bill." But the Biological Survey's bad break in throwing "8 brant per day" to the wolves on the absurd theory that "brant" are not "geese," makes no difference to the stultified host. *And today 28 states are permitting the killing of 12 geese per day!* How does Congress like this picture? But does it not prove the value of federal initiative, upon which we have been insisting?

The declared object of the National Association of Audubon Societies is "the PROTECTION of wild birds and animals."

The proceedings of the annual meeting of the Audubon Association that was held on October 28, 1930 in New York fully demonstrated the

fixed intention of the Defenders of Big Killing Privileges to *go right on "as is"!* Our urgent invitation to wipe off their dirty slate, "look ahead," and make a new start for a new record in constructive conservation was treated with silent contempt. The 150 members sat dumb—*afraid to vote for our resolution and also afraid to vote it down!* Their constitution gave them full voting rights, but they silently refused to exercise them. Our resolution was summarily removed from the floor (by the Chairman) and thrown to the Board of Directors, who promptly tore it to pieces.

That resolution I now submit to Congress and the Audubon people as a decent and well-considered effort to pull the Audubon Association out of the position in which it now finds itself. The ticket of three new game-protector candidates for directorships, offered by Mrs. Charles Noel Edge, was a perfectly proper gesture of protest, from a long-time life member.

So then, the Audubon Society elects to stand by the printed public document issued in May, 1926, which Irving Brant characterized in October, 1930, in "Compromised Conservation," page 9, as "The Audubon Society's Infamous Bulletin No. 6." We think that citation is a perfectly just one. That "Bulletin No. 6" contains the following amazing utterances; and if they do not sound like sedition then to us that word has lost its original meaning!

"THE ASSERTION THAT NO SPORTSMAN 'OUGHT' TO KILL MORE THAN FIFTEEN DUCKS A DAY.

"This is a debatable question. Even some of the best sportsmen differ about it. However, it is a question of sportsmanship, taste, conduct, or whatever term may be applied.

"It is an ethical question and as such the department has nothing to do with it.

"Its only responsibility is to maintain a surplus of ducks and, so far as consistent, state rights. This surplus **MUST BE DELIVERED** to the people. It cannot issue regulations governing the ethical use of it. **WE WOULD REBEL** against such a misuse of federal power.

"Each sportsman must decide this for himself. A majority in any state may, if they think it wise, attempt state regulation in this ethical field.

"THE FEDERAL GOVERNMENT, NEVER."

"Read that again," said Mr. Brant. "Read it for the emotional feeling of the man who indulged in this sophistry, who voiced this threat of rebellion, this demand for 'delivery of birds' to 'sportsmen' who would slaughter 25 a day, and who wound up with the nonsensical but revealing cry: 'The federal government, never.'"

At one glance it becomes evident that the above alliance of mixed forces has represented, and still does represent, "millions of dollars of invested capital," much cash in banks available for campaign purposes, and very great political and commercial power. In 1925 that power was credited with having promoted the removal of a state game commissioner who opposed the old "game refuge bill," even as far west as Oregon. Commissioner A. E. Burghduff said to me at Spokane in June, 1925, "They

are going to get me out. They have openly told me so!" And in July "they" did it!

No campaigner, and certainly no member of Congress, can figure out the power of the Allied Eastern Defenders of Killing Privileges—until he rashly sets out to *curtail a privilege!* Then he soon feels the hot breath of the allies on the back of his neck. They believe that in union there is strength. They are always awake and alert to oppose anything and everything that even looks like a serious reduction of game-killing privileges, and everything that tends to diminish the power, prestige or cash-available of the Combine. As a rallying point for the allies, the U. S. D. of A. is a Citadel of Refuge, and in times of danger the Survey and its Allies promptly appear before Congress, demanding consideration, in the name of "constructive conservation."

In Senator King's speech of May 24, 1926, he exposed the "interlocking conservationists" of the Allies, whom he characterized as "those conspirators." We always have known the hunger of some leaders on the other side for key positions in committees and boards of control. Especially are they keen for positions on the resolutions committees of conventions; and on "National" committees, generally.

Fortunately for wild life, all this eastern opposition to shooting reforms, and its simultaneous boosting of the old public-shooting-grounds game-refuge bill, had no effect whatever west of Pittsburgh—except to solidify western opposition to it! Thanks to the wide-awakeness of the whole country west of the Mississippi, the backslidden East was met by an immovable majority of 1,100,000 sportsmen out of the total of 6,413,454 for the whole United States. That body of sportsmen was led from 1923 onward by *Outdoor Life*, of Denver, *Parks and Recreation Magazine*, *Western Out-of-Doors* of Oregon, and a little later by the *American Field*, and *Forest and Stream*. Meanwhile, during the fight over bag-limits from 1920 to 1929, the following 12 states *voluntarily reduced their bag limits*, bringing the total up to 29 states in all:

|          |          |            |              |
|----------|----------|------------|--------------|
| Arkansas | Iowa     | Minnesota  | Oklahoma     |
| Florida  | Kansas   | Nebraska   | Pennsylvania |
| Idaho    | Michigan | New Mexico | South Dakota |

But the 19 other states remained obdurate and unyielding. Nine of them, marked below by stars, are states of real waterfowl concentration in winter, and some of them have staged great slaughter. For 7 years the eastern defenders of killing privileges and those 19 states cared naught for the duck scarcity in the 29 states that had acted sensibly, and reduced their killings.

#### THE NINETEEN HARD-BOILED STATES that never reduced voluntarily

|               |                 |             |             |
|---------------|-----------------|-------------|-------------|
| Massachusetts | *Virginia       | Kentucky    | Colorado    |
| Connecticut   | *North Carolina | Alabama     | Montana     |
| New York      | *South Carolina | Mississippi | *Utah and   |
| *New Jersey   | Georgia         | *Louisiana  | *California |
| *Maryland     | Ohio            | *Texas      |             |

In 1928 the Texas legislature declared formally that "Texas will reduce her big bag limits whenever her state neighbors will do so"; but her challenge never was met.

I am firmly of the opinion that the seven years' failure of the Biological Survey to reduce all bag limits on ducks to our 15 figure caused the absolute waste, and loss from breeding stock of not less than 200,000 ducks *annually* between 1923 and 1930, a period of six years. All of this loss, whatever it was, is chargeable against the records of *just about* 10 *Eastern men*, and four organizations, *who insisted that the slaughter should continue unchecked!* Three small concessions, made during 10 years by the Biological Survey, were the reducing of the woodcock limit from 6 to 4, the reduction of the limit on the poor little sora rail from 50 *back* to 25 per day, and in giving 4 shore bird species long close seasons. Is it not a mighty poor showing for 10 years of "constructive conservation," and "game administration" with czar-like power?

In an editorial in *Forest and Stream*, Dr. Wm. A. Bruette has said that no one should blame Mr. Burnham for doing his utmost to maintain the shooting privileges of sportsmen, and create more shooting grounds; because thereby he was doing no more and no less than he was engaged to do by his employers, to preserve their business. While this is quite true, it was rather hard on game to have the president of the American Game Protective fixed as an official advisor to the Department of Agriculture. This anomalous condition, strongly exposed by Senator King, must have contributed much to the defeat of the old game refuge bill and all its backers, in 1926, 27 and 28.

But no such excuse as that can be made for the amazing president and the majority of directors responsible for the official attitude on killing privileges of the National Association of Audubon Societies. At least a majority of the Association's high officers were for six years firmly committed to the defense of the game-killers! For seven years they have fought the bag-limit cause, and now we expect them to fight our open season reduction demand. Having no doubt whatever about the real heart sentiments of the silent and humble annual members of the Audubon Society, we are compelled to believe that they are ignorant of *what their officers have been doing ever since December 12, 1923!* Remembering as we do the promptness with which those annual members opposed the bargain that was made in 1911 with the manufacturers of automatic guns and ammunition, as soon as they read of it in the *Herald* of June 3, 1911, we are forced to believe that they have not yet heard of the "infamous Bulletin No. 6," and of other actions in opposition to the game birds. With intelligent management, the quarter-million-dollar annual income of the National Audubon Society should be able to *save a number of birds!* And now *why* should that Society fight for six years—and in the uniform of "conservation"—in defense of the big killing privileges of the worst game-hogs? What was the reason?

And now, will that Association go on and fight to maintain the long open seasons, the use of live bird decoys, for the baiting of shooting waters, and for the stalling opera-bouffe "counting of ducks"? On Oct. 28, 1930 the Association's answer looked like "yes."

The opposition of Dr. J. C. Phillips is to us particularly deplorable. A gentleman of ample intelligence, scientific tastes, some conservation spirit and abundant means has deliberately elected to stand with the Allied Defenders of Killing Privileges. The existence of the American Wild Fowlers is an offense. Its two declared "aims"—to back up the Biological Survey against its bad critics—is a deplorable confession of organized subservience. Among the bird lovers of New England, Dr. Phillips has many friends; and perhaps this is why it seems that the New England Allied Bird Clubs have not lifted a finger on our side in this whole campaign. The Massachusetts Audubon Society, and the New Hampshire and New Jersey State Audubon Societies have all along been our allies, fighting on the side of the birds.

At the Senate Hearing on our Copeland bill, Senator Hiram Bingham appeared, and got off his chest the following ridiculous and wrong declarations:

*Senator Bingham.* "Mr. Chairman, I have been asked by Mr. Thomas Barbour, the president of the Boston Society of Natural History, and an old friend of mine, to appear before the Committee this morning against the bill S. 3580 which he characterizes as a 'pernicious measure proposing to take control of the migratory game out of the hands of the competent naturalists of the Agricultural Department.' *He says it is opposed by every responsible naturalist in the country.*" And the last statement is an outrageous falsehood on the part of Mr. Thomas Barbour, and a special derogation of W. T. Hornaday.

The cruelty of the Secretary of Agriculture on December 31, 1929, in suddenly abandoning the stalling departmental position stubbornly maintained for six years, will be apparent to every humane mind. At one fell stroke he cut every inch of ground from under the feet of his 6-year allies, and declared for our figures in bag-limit reform—except as to "brant."

And now methinks the People still at-large in these somewhat perturbed United States would like to know what Senator Walcott's stabilizing committee is going to do about the "conservationists" in the ranks of the defenders of *game-killers*. What is the 71st Congress now going to do about them? How much longer are they to be received with open arms and serious consideration when they appear in defense of other killing privileges, and *actually in opposition to game saving*? It seems to some of us that the conservation lobbies of Congress are in need of some hot water, soap, and lysol.

And again. How much longer will wide awake and honest state game commissioners who see their own game steadily vanishing refrain from telling their people the ugly truth, and reading the riot act to their sportsmen about killing *less* game each year, or soon having no game to kill, save tame pheasants and cottontail rabbits?

And what shall we now say of bird and conservation organizations that year in and year out publish endless pages of pretty talk and pretty pictures about bird love and bird killing and never from January to December print any of the ugly facts about bird slaughter, bird persecution



and bird disappearance? Is it because they are afraid to print the whole truth? Or is it because they are ignorant? I believe that it is a mixture of the two, and I am equally certain that their course is hastening the final extermination of game and game-hunting in America.

#### THAT "NATIONAL COMMITTEE ON WILD LIFE LEGISLATION"

This abounding and a-butting Committee has so persistently thrust itself into public notice since August 28, 1928 that we need not for one moment apologize for this notice of it.

The development of the Norbeck Sanctuary bill also developed the most picturesque and amusing opera-bouffe performance ever seen in the guise of wild life conservation. It was staged under the name of a "National Committee on Wild Life Legislation," and day by day it reminds us of General Boum and his fantastic army in the "Grand Duchess" comic opera of other days. (Last year it was unable to induce Congress to pass its bill for the protection of the American *bald eagle*!)

With the amazing passage by the Senate of the Norbeck Bill (April 19, 1928), along with the last death and burial of the old "game refuge bill," the promoters of the dead measure were stunned into their first period of silence. And for four calendar months thereafter they either sat on the fence, or sulked in their tents.

In May, the Conservation Director of the Izaak Walton League, in the League's "Outdoor America" magazine, published a note of alarm and protest about some "terrible" features in the Norbeck bill; and in a circular to some Izaak Walton League State Chapters he declared that "the bill must be either amended or killed." Just before the Seattle Convention of August 28, Mr. Pearson said in "Bird Lore" that "there is much difference of opinion as to which measure [the living or the dead?] should have the support of conservationists, and this is one of the interesting subjects that doubtless will be discussed at the meeting in Seattle."

"Doubtless" is good.

When the great eastern conservationists arrived at Seattle, they found the western and northwestern State Game Commissioners all sold on the Norbeck bill, and resolved to support it. Tableau! Then Dr. T. Gilbert Pearson and his allies gracefully and also promptly climbed down off the fence—thoughtfully choosing the popular side—and hatched a scheme (1) to save their own faces from marks of defeat on the old game refuge bill, and (2) to secure for themselves *credit for the passage of the Norbeck bill*; which by that time was fairly certain to become a law. The vehicle for their shrewd and generous scheme was the so-called "National Committee on Wild Life Legislation," then and there created, of course with Dr. T. Gilbert Pearson of the National Audubon Society as its Chairman. The Committee of eleven men was composed of a mixture of interlocking directors and perfectly innocent men, and it is perfectly easy to separate the sheep from the goats.

The Committee launched itself with a flamboyant press bulletin, that was printed steadily throughout the next nine months, solemnly giving its who's who, and announcing that the new Committee represented "all the

large national organizations interested in wild life preservation in America," and had been created to take charge of the Norbeck bill. As a piece of effrontery publicity that was the finest ever; and it went over beautifully. All of the state conservation and sportsmen's magazines solemnly fell for it.

After that effort, the Committee's Chairman entered into an undertaking that was hatched somewhere in Washington in the spring of 1928 *to prevent the passage of Section 17, of the Norbeck bill, and thereby to prevent all state cooperation in better game protection with federal aid.* Its presumptive object was to keep all the money and patronage to accrue from the Norbeck bill snugly lodged in the hands of the Chief and Assistant Chief of the U. S. Biological Survey. State Audubon Societies were appealed to for help in killing that dastardly Section 17! Chairman Pearson declared that the plan proposed by Section 17 had "no precedence of Government legislative procedure for such a course of action." That particular Committee activity obliged us to prepare and send to Congress a Brief in protest, reciting the fact that for years such a "precedence" had been practiced by Congress through the U. S. Forestry Bureau and 44 States, involving (in 1928) federal expenditures under state control *amounting to a total of \$867,955.72!* (See Report of the U. S. Forester for 1928.) But that blunder did not phase the Committee in the least. At the last moment Secretary Jardine forced the "elimination" of Section 17. Congress had to yield to him, or see the bill killed by delay.

At last, in January, 1929, the All-Highest Committee cleared its decks for Action, and unlimbered its heavy artillery. The first gun to roar its support of the (amended) Norbeck bill was Chairman Pearson's circular to "congressmen" of the House, dated January 24, 1929, consisting of 24 lines, as follows:

#### NATIONAL COMMITTEE ON WILD LIFE LEGISLATION

New York City, January 24, 1929.

Congressman Fiorella H. LaGuardia,  
House Office Building,  
Washington, D. C.

Dear Mr. LaGuardia:

This Committee, officially representing all the large National organizations interested in wild-life preservation in America, unanimously urge your very active personal support of the Norbeck Refuge Bill—S 1271, for the establishment of a National policy for the creation of inviolate sanctuaries for ducks, geese and other migratory birds.

This Bill which passed the Senate last session, with a few helpful amendments, has been voted out favorably by the House Committee on Agriculture. Even during the remainder of this short crowded session it certainly will be possible to enact this very important measure to which, so far as we are aware, there is no opposition.

We are making this request of you in the name of the combined membership of organizations which collectively number several hundreds of thousands of worthwhile American citizens.

Cordially yours,

T. GILBERT PEARSON,  
*Chairman.*

On December 24, Mr. Seth E. Gordon issued an excellent letter to the Chapters of the Izaak Walton League, calling for active work for the Norbeck bill. On January 24, 1929, Mr. Pearson issued another circular letter, of 16 lines. On January 25, Dr. John C. Phillips sent out 21 lines, Mr. George D. Pratt issued a letter of 21 lines, and on January 31, Commissioner Zellerback of California sent out a letter of 25 lines. (It was on that same date that the National Committee of 100 and the Permanent Fund sent out their ninth printed circular in support of the Norbeck bill the first of which was issued on May 10, 1928.)

The Norbeck-Andresen bill was passed by the House on February 9. On February 13, Chairman Pearson was photographed (for press publicity) in the act of persuading President Coolidge to sign the bill that for at least 30 days previously had been known to have his cordial approval.

And then there broke forth a torrent of publicity articles of great length, and many Old-Timer portraits, to set forth the fact (?) that "Congress Passes the Bird Refuge Bill," "after seven years of devoted effort," etc. Reference is made to the articles that appeared in *Field and Stream*, the *Maryland Conservationist*, *American Game and Outdoor America* Magazines, conveying by their titles and otherwise the totally false impression that the old public-shooting-grounds bill had "at last" been PASSED by Congress. As a matter of cold fact, the bill that passed *did not contain one single basic feature of the three that were demanded by the "game refuge bill"!* And to this day, this false implication is repeated by some of the men who originated it as a smoke screen to hide their defeat and discomfiture. "For all of which, the vouchers are ready."

I cordially commend the "National Committee on Wild Life Legislation" to the serious attention of Congress. There is good reason to expect that its spirit today is precisely what it has been ever since August 28, 1928, and that the next session of Congress will see the National Association of Audubon Societies leading the old-line opposition to attacks on the McNary-Haugen bill, to attacks on open season reductions, the stoppage of baiting and all the rest of it. And as heretofore, this will be led by a Society founded (and now richly endowed) "for the protection of Wild Birds and Animals."

# THE HAPPY FARMER AND HIS SPORTSMAN FRIENDS



## THE "MORE-GAME" HOPE FOR THE FUTURE

By J. N. Darling ("Ding"), in the Tribune Syndicate.

## AN OBJECT LESSON IN DUCK CONCENTRATION

The huge gathering of ducks portrayed on the following page took place in southeastern Arkansas in February, 1925. The state game wardens estimated the number of ducks over the confluence of the White and Mississippi Rivers on February 16 at 300,000. We are inclined to believe that the estimate is a fair one.

In October, 1929, a similar concentration of ducks took place near Amarillo, Texas, and a striking photograph of it, made by Gene Howe, was published in the *Kansas City Post* on October 29 of that year. It was extensively used by the cheerful optimists as proof of the abundance of ducks in the United States; but there is no evidence that it had any marked effect, either in Congress or elsewhere, outside of the ranks of the professional Opposition.

All such pictures as these are interesting in showing the eagerness of the ducks of the Mississippi Valley and Canadian Plains to find places in the south where open water and food come together in offering winter hospitality to ducks. Concerning the Amarillo concentration, it should be noted that the Texas Legislature of 1929 announced that the state of Texas was ready to reduce her bag limit on waterfowl whenever her neighboring states would reduce theirs. It seems to be a fact that the whole duck supply of the 12 northern states counted as in the Mississippi Valley, annually contribute the whole of their duck population to make up the duck concentration and congestion in southern Arkansas, Louisiana, and southeastern Texas. It is to be observed that in October, 1913, the duck bag limit in Kansas, Missouri, and Arkansas was 15 birds, and in Oklahoma 10.

In the contemplation of the illustration on the opposite page, there is satisfaction to be found in its evidence that there is yet in the United States a fairly good stock of ducks, from which to breed, provided it is carefully conserved from this time henceforth. We would like to hope that those southwestern hundreds of thousands of ducks even yet can be so conserved that they will multiply, and produce "millions" of ducks that can and will scatter abroad throughout the whole Mississippi Valley, and bring about duck abundance in states where there now is duck scarcity, officially recognized.



EXTRAORDINARY CONCENTRATION OF DUCKS IN ARKANSAS, FEBRUARY, 1926  
Over a "duck paradise" of lakes at the confluence of the White and Mississippi Rivers, Feb. 16, 1926. Sufficient to inspire belief in duck abundance all over the United States.

## PART II—THE BRIGHT SIDE

### CHAPTER XVI

#### THE NEW YORK ZOOLOGICAL SOCIETY'S PART IN WILD LIFE PROTECTION

In memory of the work of the Zoological Society in the world-wide field of wild life protection, there should be erected a marble monument 33 feet high, lest we forget. Its height should be at least one foot for each year of its activities in the Thankless Task.

Speculations on what "might have been" are harmless forms of amusements for minds in a state of rest. At the same time, we cannot help wondering what would have happened if Madison Grant and Henry Fairfield Osborn had not written into the "objects of the Society" the fateful words, "for the protection of our native animals," to represent the second declared object of the organization. That action deserves to be notable because it was the first one through which any zoological organization ever openly took up the defense of distressed wild life, and set out to carry it as a permanent burden. And yet, is it not strange that up to 1895 that perfectly obvious zoological duty had been so generally neglected.

The coining of the phrase quoted above, and its incorporation in the constitution of the New York Zoological Society, was a leap into a sea of troubles, under the inspiration of clear vision and reckless courage. It was taken at a time when the steam-roller of wild life destruction was forging forward practically unchecked. Already the great bulk of the big game animal life of the United States had been swept away. The game birds of land and water, and the valuable insectivorous birds of field and forest, were being rushed into oblivion. As it now is applied to wild life, "conservation" was then a term unknown, and its only synonym was "game protection."

The new and boldly declared "object" of the Zoological Society was not written down as a mere empty gesture. It was an enlistment in a war of unknown intensity and cost, for an indefinite period of years. It was to be an aggressive fight, or nothing; because nothing but aggressive measures could or would accomplish any great purposes. The Society determined to campaign on a large scale, and seek to accomplish wholesale rather than retail results. It resolved to shun small local measures and causes, and seek to benefit far-flung faunas of birds and mammals, by the achievement of permanent reforms through measures to prevent further exterminations.

The practical work of the Society began in 1897, and naturally it took the form of an inquiry to obtain a quick general view of wild life abuses throughout the United States, and the means by which some of them might be remedied. The Zoological Society's published findings, with

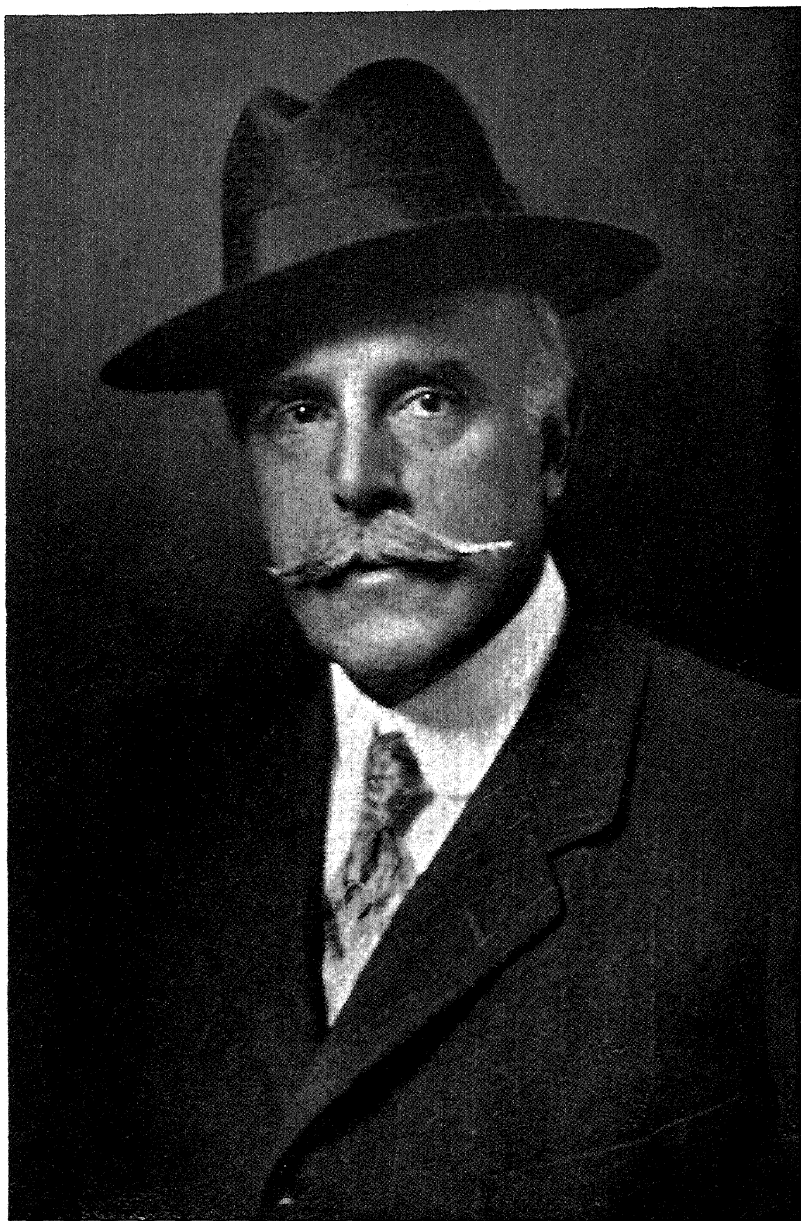


**PROF. HENRY FAIRFIELD OSBORN**

*Honorary President of the New York Zoological Society*

For forty years an active defender of wild life





**MADISON GRANT**

*Originator and President of the New York Zoological Society*

**For forty years an active defender of wild life**

statements of the testimony on which they were based, left little room for argument. From that time onward, the only debatable questions were, "How can these evils be overcome and suppressed? How can the birds and mammals of North America be saved from extermination, and rendered most useful to man?"

One of the first tasks undertaken by the Society was to provide the utterly unprotected game and wild life of Alaska with a code of protective laws. Through a combination of fortunate circumstances in 1902, Congress promptly passed the first Alaskan game act.

With a degree of courage which now we look back upon with wonder and admiration, in 1904 the Society deliberately decided to oppose the use of repeating shotguns in the killing of game. For a number of years that object was diligently pursued. The Society's campaign of education and appeal brought to its cause the support of many distinguished organizations and individuals. Although the successes actually achieved in the form of new laws was not great, the public sentiment that was aroused throughout the United States by that campaign of education and appeal undoubtedly laid a wide and firm foundation on which to base subsequently many wild life protection causes.

It is inexpedient to enter here into an enumeration of all the causes for the defense and preservation of the wild life of the world that were entered upon and successfully prosecuted by the New York Zoological Society during the last 33 years. Although the Permanent Wild Life Protection Fund was created in 1912, for the purpose of providing permanent campaign funds and preventing insidious attacks upon the Executive Committee of the Zoological Society because of its activities in behalf of wild life, it should be remembered that the Permanent Fund was formed and operated under the sheltering wing of the Society, and for nearly 20 years enjoyed the hospitality of that great organization, free of all domiciliary costs and charges. But for this hospitality, the Permanent Fund could not have gone far with the slender income at its disposal, of only \$5,500 per year.

In looking back through the history of the past 33 years of endeavor in the defense of wild life of North America, it is difficult to recall an important cause in wild life protection which has not in one way or another enjoyed either the support or the cordial endorsement of the New York Zoological Society. Throughout the fierce controversy that raged for six years without a break on the question of the game-killing privileges of sportsmen, as expressed in bag limit figures, and while many attempts were made to coerce members of the Executive Committee into putting a stop order on the reform campaign, the Executive Committee, the Board of Managers, the President and the general membership of the Zoological Society stood firmly for the reform, and rejected all appeals that they should interfere with it. As we have remarked elsewhere, the amount of unpleasantness which the officers of the Society were called upon to endure from the attempts of outsiders to coerce them, is quite unknown, and is likely to remain so for a term of years.

Throughout the past 33 years the writer of this volume is unable to recall even one wild life protection cause which the Zoological Society

failed to support because of doubt about the consequences of such action. In those matters, President Henry Fairfield Osborn, and Secretary and President Madison Grant never took counsel of their fears. The writer regards it as absolutely certain that a number of wild life protection causes that have triumphed, never would have been successful without the courageous and determined support accorded by those two men and the powerful Society of wild life defenders which they represented. From first to last the Zoological Society has expended from its treasury many thousands of dollars in the support of wild life causes. Its educational campaigns, and its legislative campaigns also, have from first to last been calculated to secure direct, prompt and *worthwhile results* in reducing the actual killing of wild life, in promoting the complete preservation of non-game species, and the rational utilization of game.

The fine example of the New York Zoological Society is not being imitated by the zoologists of other institutions to the extent that we once hoped would be developed. While some other institutions have contributed excellent and valuable support to some causes, those efforts have not been as continuous nor as strongly sustained from year to year as the distressed state of wild life has invited. But the heaven is working. During the past three years there have been important awakenings in the ranks of American zoologists and they augur well for the future.

And now as we look forward to the next 30 years of war for wild life, it is with the fervent hope that the work of the Zoological Society and the Permanent Wild Life Protection Fund will increase in vigor, and literally "go from strength to strength."

## CHAPTER XVII

### STOPPING THE SALE OF GAME AND PAVING THE ROAD FOR THE McLEAN BIRD LAW

Up to the year 1910, a number of states had some laws prohibiting the sale of two or three species of native game, but not one Eastern state had a comprehensive non-sale game law. The editor of a New York magazine had hung up as a shibboleth the words "Stop the sale of game," but his labors in that vineyard had gone only to that limit. Occasionally indignant sportsmen would say, "The sale of game ought to be stopped"; but no one felt inclined to tackle the ugly and difficult job of stopping it. Meanwhile, we were interested at Albany in various matters for the protection of wild life in general, and incidentally game; but beyond the Zoological Society's fight to curb the automatic and pump guns, my own disposition was toward leaving to the armies of game hunters, even then very strong, the business of protecting the objects of their guns and cartridges.

In whatever we did or tried to do in the New York legislature, we nearly always found ourselves aggressively opposed by the sportsmen and market-gunners of Long Island. At last it had become annoying. We were forced to believe that "the Long Island bunch" was a bad lot, and constitutionally opposed to the protection of game.

In the golden month of October, 1910, a good sportsman and good friend of game took the trouble to come all the way to the Zoological Park to tell me a bit of news. He said:

"The market gunners of Long Island and the game-dealers of New York have formed three strong organizations, and they say that next winter they are going to wipe off our statute books all the laws for the protection of feathered game. They are going to send a man to the legislature expressly to do whatever they tell him to do about game; and they intend to make a clean sweep of all the wild life protection laws that they don't like."

"Well then, damn their souls, we will give them the fight of their lives. We will introduce a bill to stop the sale of game, and carry the war right into the enemy's camp."

Thus, and not otherwise, was planted the acorn that quickly grew into "the Bayne bill."

At one glance I saw that such a fight as that one would be would require money for legitimate expenses; not hundreds of dollars, but thousands! It was a case of adequate funds or no fight. The situation as stated to me was so raw that I felt from the first moment perfectly sure that a special call for subscriptions would bring in good returns, or at least enough to carry on with.

At once I put the situation before Mr. Madison Grant and President Osborn, and offered to manage a campaign if they would approve the effort; and of course I offered to raise the special fund that was necessary.

The proposal was heartily approved, and the Society endorsed the campaign from start to finish.

Without the loss of a day I drafted and printed a large 4-page circular, stating the case, and asking for subscriptions to a "discretionary fund," for me to disburse according to the needs of the campaign. I estimated that during the next three years we would need a total of \$9,000; for I really was not so optimistic as to believe or to hope that we could win through with a no-sale-of-game bill at one session of the Legislature. On the whole, my call for \$3,000 per year for three years was not a bad guess.

My printed circular proved to be all right. In reply to it, checks for \$50, \$100, \$500, and other sums began to come in. The \$1,000 mark was soon reached; and checks kept on coming until finally the total reached \$5,023! It is with great pleasure that I here set down the entire list of subscribers, and call attention to the wide variety of human character and interests that are represented in this effort to dam the outflow of North American bird life.

#### THE MAKERS OF THE FUND FOR THE BAYNE BILL

|  |          |
|--|----------|
| William P. Clyde, New York .....                       | \$100.00 |
| Mrs. William Henry Bliss, New York .....               | 50.00    |
| Charles A. Dean, Boston .....                          | 200.00   |
| H. C. Frick, New York .....                            | 500.00   |
| E. H. Godschalk, Philadelphia .....                    | 100.00   |
| Lewis S. Eisenlohr, Philadelphia .....                 | 100.00   |
| Henry G. Cornell, Philadelphia .....                   | 100.00   |
| H. A. Poth, Philadelphia .....                         | 100.00   |
| Mrs. J. S. Kennedy, New York .....                     | 50.00    |
| Fox Gun Company .....                                  | 100.00   |
| S. H. Vandergrift, Philadelphia .....                  | 25.00    |
| George Eastman, Rochester .....                        | 500.00   |
| Frank Seaman, New York .....                           | 100.00   |
| F. W. Roebbling, Philadelphia .....                    | 100.00   |
| Norman James, Baltimore .....                          | 100.00   |
| Ray V. Pierce, Apalachicola, Fla. ....                 | 100.00   |
| Edwin G. Baetjer, Baltimore .....                      | 25.00    |
| Henry F. Osborn, for N. Y. State Audubon Society ..... | 100.00   |
| Charles Z. Tryon, Baltimore .....                      | 50.00    |
| Thomas Barry & Company, Philadelphia .....             | 25.00    |
| New York Zoological Society, New York .....            | 300.00   |
| The Stokes' Bird Fund, N. Y. Z. S., New York .....     | 200.00   |
| L. W. Trowbridge, New York .....                       | 25.00    |
| S. P. Wetherell, Philadelphia .....                    | 50.00    |
| H. M. Hanna, Cleveland .....                           | 200.00   |
| Lloyd Taylor, New York .....                           | 50.00    |
| James A. Robinson, New York .....                      | 10.00    |
| J. Seaver Page, New York .....                         | 10.00    |
| Boone and Crockett Club, New York .....                | 100.00   |
| H. A. Edwards, Albany .....                            | 100.00   |

|   |            |
|---|------------|
| J. R. Bradley, New York .....                     | 50.00      |
| Samuel Thorne, New York .....                     | 200.00     |
| James S. McCulloh, New York .....                 | 25.00      |
| Frank Hart, Doylestown, Pa. ....                  | 1.00       |
| Emerson McMillin, New York .....                  | 100.00     |
| Mrs. E. S. Auchmuty, New York .....               | 100.00     |
| E. C. Childs, New York .....                      | 25.00      |
| Hunter Arms Co. (against sale of game only) ..... | 100.00     |
| Ithaca Gun Company, Ithaca .....                  | 10.00      |
| "Four Friends," Philadelphia .....                | 400.00     |
| Rich and Marble, Philadelphia .....               | 1.00       |
| William W. Wall, New York .....                   | 1.00       |
| Mrs. Ellen P. Speyer, New York .....              | 50.00      |
| Miss Heloise Meyer, Lenox, Mass. ....             | 200.00     |
| J. Alden Loring, Owego .....                      | 10.00      |
| C. Ledyard Blair, New York .....                  | 100.00     |
| Mrs. Joseph Swift Whistler, Philadelphia .....    | 5.00       |
| Ruthven W. Pike, New York .....                   | 25.00      |
| Henry W. Shoemaker, Altoona, Pa. ....             | 50.00      |
| Total .....                                       | \$5,023.00 |

The subscribers to this Discretionary Fund fully realized what the success of the proposed movement would mean to the eastern half of the United States. At that time New York City was not only the greatest American market for the ducks, geese, and shore birds that were being shot for profit all along our Atlantic Coast, but it was also a "fence" for the sale of grouse and quail illegally killed in New England, Pennsylvania, New Jersey, and we know not how many other states.

And furthermore. Birds that were not game in any sense whatever entered into the reckoning. In 1902 there were found in one cold storage house in New York the following dead birds, being held for the game market:

|                             |       |                           |       |
|-----------------------------|-------|---------------------------|-------|
| Snow Buntings .....         | 8,058 | Grouse .....              | 7,560 |
| Sandpipers .....            | 7,607 | Quail .....               | 4,385 |
| Plover .....                | 5,218 | Ducks (scarce!) .....     | 1,756 |
| Snipe .....                 | 7,003 | Bobolinks (scarce!) ..... | 288   |
| Yellow Legs (scarce!) ..... | 788   | Woodcock (scarce!) .....  | 96    |

As soon as the discretionary fund reached \$1,000, I hired a lawyer, set him to work to draft a bill, and sent out a clarion call for support. I did not "beg" for support. I demanded it! I called upon all organizations of sportsmen, upon scientific societies with zoological leanings, upon gun-makers of double barreled guns, and upon public-spirited citizens who knew what it was to give support to public causes.

For a brief space some people held their breath. Then there were heard expressions from a few scared individuals which almost started a panic. My Committee on Wild Life Conservation in my own Camp-Fire Club was assembled, and invited to join me. To my surprise and consternation, every member of the Committee *declined!* They said: "What

you propose is too drastic. We can't follow you." And at first they did not.

My oldest and best friend in New York said:

"You are riding for a fall. When it comes, it may injure your reputation very much!"

I declared that I would go through with it if it killed me.

The first big enlistment to our army was brought in with genuine whoops of joy, and outrageous enthusiasm, by Andrew D. Meloy, President of the New York State Fish, Game and Forest League, composed of about 150 local clubs of sportsmen and anglers. Except as to Long Island he brought with him the entire outfit; and I think not one man escaped. From that flying start (and how welcome is the first big accession of volunteers in a fight!) down to the jollification dinner over the victory, that support of Mr. Meloy and his army never wavered.

It is impossible to enumerate here the steady streams of supporters who joined our ranks as the campaign progressed, and worked for success. From the beginning all the newspapers of New York were on our side. When a Senator in a certain city quietly undertook to "organize opposition" to our bill, and it was reported to me, I at once exposed it to his constituents. I said, "Is *that* what *you* wish your Senator to do?" Instantly that prospect of opposition faded clear away.

But I am running ahead of my story.

At the very beginning I picked a bright and wise young lawyer to draft a bill, go to Albany, study the situation, pick out the best men to introduce our bill, and try to persuade them to act. My attorney was Lawrence W. Trowbridge; and his most untimely death only two years after the victory robbed the conservation cause of a tower of strength.

Mr. Trowbridge was an ideal man for our campaign. If he had lived, he would by this time occupy a bench in a high court. His judgment was wonderful; and his plans never missed fire. When his bill was all right, but changed at the last moment in deference to the views of Mr. Edward H. Litchfield in aid of game breeding and the sale of farm-reared game, he spent two whole weeks in Albany to land the measure in the hands of the two ideal men he had selected to introduce it.

For sponsoring the bill in the Senate Mr. Trowbridge chose Hon. Howard R. Bayne, of Staten Island, Chairman of the Senate Judiciary Committee if you please; and Senator Bayne accepted the charge. Afterward he said at the victory dinner:

"I was *perfectly* certain that it never would be passed; but Mr. Trowbridge was so charming in manner, and so logical in his appeal, that I really had not the heart to refuse him!" And then the Senator added that in all his experience he "never had seen a legislative campaign carried through on a higher plane than that one was."

In the Assembly, Mr. Geo. A. Blauvelt was our choice for sponsor, and after long thought he accepted the task. He, also, proved to be an ideal sponsor; and the pair were invincible. Senator Bayne never wearied nor halted in his efforts to advance the bill, and at the last moment, when the Hotel Men's Association asked for an amendment to enable them to

import and sell foreign game from the countries in which it already was sold, and promised to be good if we would concede it, we asked the Senator to put through an amendment for them; which was done.

Governor John A. Dix (Democrat) early proved himself a grand conservationist governor; and glory be! no party lines ever were drawn against our game conservation. He set the pace for all his successors, and no governor has been a more staunch friend and defender of wild life, and non-partisan conservation, than Alfred E. Smith.

When the campaign for the Bayne bill was getting well under way, Governor and Mrs. Dix did a most kind, generous, and helpful thing. *They gave a state dinner at the Executive Mansion for the benefit of the bill!* Never before, nor since, has any governor known to me, nor any President, ever done a thing like that. Of course all the leaders of both Houses were invited; and also the leading Senators and Assemblymen, and the outside leaders of the campaign. It was for many reasons a notable event; and is a pleasure to recall it now.

The Bayne billers seemed to arrive first. As the leaders of the Legislature arrived and joined the company, I saw several of them look around with a puzzled air; and I heard several whisper to their nearest neighbors,

"What is this all about?"

"Why, it's a big boost for the Bayne no-sale-of-game-bill," was the answer.

After that glorious dinner, the campaign set out to become a landslide. The market-hunters of Long Island sent to me a proposal for a compromise, "to let the bill go through." As in duty bound, I called a meeting of our leaders at our hotel headquarters, to meet the bearer of the flag of truce, and hear the proposal.

Then one of our up-state leaders asked me, bluntly,

"What do *you* think about it?"

"I think—no compromises with the enemy. Never! If we make any compromise now, it will be sure to rise up to plague us in the future. I would rather see the bill fail at the end of this session, and go this all over again at the next session, than to make any compromise whatever."

There was an immediate and hearty outburst of handclapping; and that was all there was of that. After the meeting had adjourned, Mr. Meloy said something that I construed as a compliment. He said, impressively, but with a broad grin:

"Hornaday, you are a good-enough naturalist, but you don't know a d - - - thing about politics! All you know is to fix your eyes on your mark, and then drive straight at it."

At the finish the campaign became a landslide indeed, so much so that the Bayne-Blauvelt bill was passed by the Assembly unanimously, and by the Senate with only one negative vote. The press of New York state called it a "Victory" for the game birds of the Eastern United States; which it was.

The new law was thoroughly enforced, right from the beginning. Mr. G. O. Shields sent to the hotel and restaurant men of New York, and the trans-Atlantic steamship lines, a very timely and judgmatical circular



appeal to reason. He asked them to play fair with the new law, and not bring on a lot of disagreeable raid-and-search proceedings, to the annoyance of everybody and the disgrace of some.

The responses to that appeal showed a lot of good-citizen spirit. I am sure that it did a lot of good. The infractions of the law were few; but those detected were so vigorously dealt with that the intentions of the state toward thorough enforcement were perfectly apparent. About 80 per cent. of the business of market hunting between Boston and Pamlico Sound closed up promptly, and so thoroughly that the remainders of it, as consumed by cities south of New York, were almost negligible.

One of the smiles of the campaign came from accusations around Currituck Sound that the Currituck Ducking Club had been instrumental in the enactment of the new law. I was appealed to by letter for a statement that would prove the Club's innocence; and inasmuch as the Club was blissfully innocent of all participation in that campaign, I readily gave the guarantee desired.

In 1912, under the leadership of E. H. Forbush and Dr. Geo. W. Field, the best people of Massachusetts enacted a Bayne no-sale law of their own. To that in a critical moment our Discretionary Fund gladly contributed \$1,000 for field work in the campaign. And also in 1912, in the California duck and goose shambles, in a splendid fight made by the zoologists of the University of California and their allies, another no-sale-of-game law was driven through and placed on the statute books. The men who inaugurated and led that campaign to a glorious finish were Drs. Joseph Grinnell, Walter P. Taylor, and F. M. Bade, all of whom are alive, and have been active in the conservation field down to this day.

These three great victories thoroughly opened the road for the Weeks-McLean Migratory Bird Law of 1914, and the Treaty with Canada that followed it. But not one of our opponents thinks of that now, or will admit it when thought of by others. By the opposition, every particle of credit for the stoppage of the sale of native wild game in the United States is given to the "migratory bird law"; which is a cheating basis for history.

Until the three great sale-prohibition victories were won in New York in 1911 and in Massachusetts and California in 1912, Congress, and most state legislatures were afraid of the organized sportsmen, and shied at big conflicts with them. Those victories showed the hosts of the faint-hearted what a few determined men could do who were incontestably right. Their influence in putting fire under the dead boilers of the "migratory bird bill" can not be calculated, but it certainly was very great.

And what did I get out of it? Nothing but a few brief mentions of my name by my jealous rivals far down in the list of those who "assisted in passing the Bayne law." Not one publication (so far as I am aware) ever gave me one-half the credit for initiative and leadership to which my efforts were entitled; and that same spirit has continued right down to this day—save in the inner circle of my most devoted and generous allies.

## CHAPTER XVIII

### THE BIRTH OF THE MIGRATORY BIRD TREATY

The desirability of a federal law to regulate and control the methods, times, and amounts of migratory bird killing throughout the United States and Alaska was an idea of monumental scope and value. Whoever he was, the man who first thought it out deserves a monument, and Senator George P. McLean of Connecticut deserves another.

Of course, I now refer to the Migratory Bird Treaty Act, which originally took living form and force as the "Weeks-McLean law." It was born precisely as Representative Cox, of Indiana, on February 27, 1913, caustically said to the House of Representatives that it was. He said:

"The whole bill is a delusion and a snare. It would have been impossible to put the bill through simply to protect the *game birds*; and in order to get it through they had to couple with it a provision about which the fathers of the measure cared nothing whatever." To all of which we say—"Correct! But even conservationists can live and learn."

Wild life conservationists are lazy historians. Were it not so, our greatest bird law never would have gone all these 18 years without once having had the benefit of a write-up for library use. Thus far its best published history is suitable only for the pantry shelf; and in this I include our own brief contribution on one phase of the story, in the Bulletin of the Zoological Society of February, 1913. Inasmuch as there are only two living men who even jointly are capable of writing this history from first-hand knowledge, it is time for one of them to get busy while the sun shines.

The first move ever made for the federal protection of game birds was made by the Lacey interstate commerce act of 1900. The second sally was made in the 58th Congress, on December 5, 1904, by Representative George Shiras, 3rd, of Pennsylvania. The idea and the bill of Mr. Shiras contemplated only benefits to *game* birds, and the hunters of game birds. The great and priceless volume of song birds, insect eaters, and other non-edible birds of passage was not even mentioned. Only a few sportsmen, of negligible number and influence, took any interest in the Shiras bill, and in the 58th, 59th and 60th Congresses, a period of six years, it made no substantial progress.

But the idea contained germs of merit, and although long quiescent, it refused to die, even when Mr. Shiras ceased to be a member of Congress. In 1911 the newly created American Game Protective Association was persuaded to take up the "Shiras bird bill," and try to work up for it some real interest. The Association decided to try; and it worked up a Hearing before the House Committee on Agriculture, on March 12, 1912. It was almost wholly a sportsmen's affair. The aid of a representative of the New York Zoological Society was invited, and was given in a written communication to the Committee, which for some reason was not read at the hearing, nor did it appear in the printed record of the Hearing.

Eight sportsmen attended the Hearing, and with one trifling exception

the occasion was from beginning to end a sportsmen's affair, with "migratory game protection" as the shibboleth. The Secretary of the National Association of Audubon Societies was present, and spoke briefly about the song birds. Subsequently, Mr. Pearson informed the writer that on the journey down from New York, Mr. Burnham pointedly requested him to "say nothing at the hearing about song birds."

Three bills were then before Congress. One was introduced by Representative Weeks of Massachusetts. Another was by Representative Anthony of Kansas, and the third was the Senate bill by Senator George P. McLean of Connecticut. All three were good bills, and the passage of any one of them would have been a good thing for "migratory GAME."

But Congress was cold toward all of them. In the Senate, throughout the winter and spring of 1912 the McLean bill lay in the hands of the Committee on Agriculture, and no one dared to call it out! That was because of the well-grounded fear that the Committee's report might be adverse to it; which would mean its death for that Congress. As an exclusively *game* proposition, the three bills to promote it did not greatly interest us, and we did nothing to promote the interests of any one of them, save in the written endorsement mentioned above.

Matters stood thus when Congress adjourned in the spring of 1912 without having taken any action on any of those bills. The outlook was conceded to be practically hopeless. And now notice how curiously events shape themselves.

On October 1st, 1912 the Fourth National Conservation Congress was due to hold itself in Indianapolis. By some peculiar twist of Fortune's wheel, W. T. Hornaday had been made Chairman of that body's Committee on Wild Life Protection. The other members were Dr. L. O. Howard, John Muir, D. Austin Latchaw, George A. Loveland, and Mrs. Minnie Maddern Fiske. That hopelessly scattered committee could not hold even the semblance of a meeting, and so, to keep from flunking out entirely, the Chairman elected to do all the business himself. Possibly the occasion could be made to serve a useful purpose in developing an idea that had taken shape in his alleged mind immediately after Congress adjourned.

The Chairman invited about 15 New York leaders in wild life protection to dine with him at the Century Club, on the night of September 18, 1921, to discuss a new proposal calculated to advance the interests of the McLean migratory game bill. The chief promoters of the hopeless bill grasped at the idea, as a drowning man does at a straw, and all save one of the persons invited graciously accepted. I remember that among those present were Madison Grant and Henry Fairfield Osborn, of the Zoological Society; Charles Stewart Davison and George B. Grinnell, of the Boone and Crockett Club; Edmund and Julius Seymour, of the Camp-Fire Club; John B. Burnham and Mr. Haskell, A. G. P. A., and T. Gilbert Pearson, for the Audubon Society.

Without the waste of any time in preliminaries, Mr. Hornaday bluntly repeated the object of the meeting. When he declared the bad status of the McLean bill, and its hopeless prospects for the immediate future,

not a voice was raised in protest. With brutal frankness he declared his belief that no bill for the benefit of game birds alone ever could or would be passed by Congress, and he urged both the justice and the wisdom of putting *all* migratory birds into the bill. When the song and insectivorous birds were cited for the benefits that would accrue from them to agriculture, horticulture and forestry, every person present cordially endorsed the proposal.

"Have you got a copy of the bill?" promptly asked Mr. Davison.

"Yes, here is one. Write into it the amendment that is necessary."

Without the loss of a moment, Mr. Davison addressed himself to the task. As the composition proceeded, those present made helpful suggestions. In less than an hour the draft of what John M. Phillips always calls "the dickey-bird amendment" was complete, approved, and ready to go to Senator McLean. There was a perfect understanding that everyone present would back it up in the campaign that would be made on the new basis. I think that all the conspirators present left the meeting with a distinct feeling that on the new basis the migratory bird bill might get somewhere.

My own course was perfectly clear. I decided to launch the new idea at the Indianapolis meeting of the National Conservation Association; and I proposed to Mr. Burnham and Mr. Pearson that we should unite our forces and make a major effort. To Mr. William S. Haskell was assigned the Association's part in the enterprise; and later on Mr. Pearson came in.

Forthwith I prepared and printed 10,000 copies of a big four-page circular to masquerade as my Committee's "Report." It was entitled "Slaughter of Useful Birds: A Grave Emergency"; and it was illustrated with cuts. The sockdolager at the end was a picture of two glass jars containing "the dead bodies of 43 valuable insectivorous birds that were taken from two Italians in October, 1905, in the suburbs of New York City, by field agents of the New York Zoological Society." As pertinent bird pictures we threw in a snipe, killdeer plover, robin, martin, nighthawk, shrike, and golden-winged woodpecker; and believe me, the text was good reading for the farm block.

The Fourth Congress opened up at Indianapolis on October 1, 1912. Mr. Haskell made a fine campaign speech. Mr. Pearson presented an excellent illustrated lecture on birds. Mr. Hornaday closed the bird-protection talkfest with an illustrated lecture on bird *destruction and extermination*. Mr. John M. Phillips and Dr. Joseph Kalbfus, of the Pennsylvania Game Commission, were present, and aided to the utmost. Of course all delegates received my circular; and glory be! The admirable Secretary of the Congress at once sent out 1850 copies of it, to newspapers, as Association publicity! That sold the idea to the press for good value, present and future. If ever a bird-defending campaign got a quick and good send-off, that one did; and we all drove it forward with unceasing efforts.

In January, 1913, our song bird defending ranks had a great accession of strength. Mr. Henry Ford decided to take an active part in the cam-

paign, and instructed Glenn Buck, an officer of his advertising staff, to devote his entire time to our cause. When Mr. Buck came to New York to see me, we received him with open arms. He told me that Mr. Ford had charged him to make the bird bill the chief business of his life. "Go to New York and Washington," said Mr. Ford, "and don't return until that bill has been passed."

At once Mr. Buck and his assistants began, under excellent conditions, a great campaign of newspaper publicity and appeal. A thousand newspapers were supplied with articles, of at least 20 different kinds. Thousands of telegrams were sent in all directions, demanding attention for the bill, and help in "selling" it to the people and Congress. For the first time, "big business" called for help for the song and insectivorous birds, in a voice strong enough to compel attention.

It was a refreshing novelty to see campaign work for birds prosecuted on a large scale, without the embarrassment of having first to weigh and measure every dollar of expense money. The influence of Mr. Ford on "the migratory bird bill" was quite beyond my calculation, even though I was in close touch with it.

My clipping records show that in our own campaign "over 1,100 newspapers and 24 magazines and reviews published our articles, or helpful articles of their own; and that those appeals caused thousands of letters to be written to members of Congress, asking for the passage of 'the Weeks-McLean bill.'"

Shortly before the bill was voted upon in the Senate, the New York Zoological Society placed in the hands of every member of Congress a copy of W. T. Hornaday's campaign handbook, "Our Vanishing Wild Life," concerning which Senator McLean wrote the Society as follows:

"The book arrived just in the nick of time, and it put a fourteen-inch hole through the hull of the enemy from side to side."

Toward the close of that (short) session of Congress, the returns from our campaign indicated prospects of overwhelming majorities for the bill. The measure was swept through both Houses on a tidal wave of popular demand. The Senate passed it unanimously. The little wavelet of opposition that was stirred up in the House, chiefly by Frank B. Mondell of Wyoming—then a real foe of wild life conservation—was in the proportion of 15 to 285. But at last the "time question" loomed up dangerously!

To insure a vote by the House, even though the Senate had already passed the bill, the Senate added it to the Agricultural appropriation bill *as a rider*; and in that form it went through both Houses. It was signed by the President on March 4, 1913, and became immediately effective.

Let no one suppose for a moment that in what I did to help create the federal migratory bird law I acted as "a sportsman," with a view to game-killing, and "sport." That was by no means the case. I thought more of the non-game birds, and the farmer. Only for a very brief period in my boyhood was I in even the most remote sense "a duck-hunter." Duck hunting, as a sport, did not greatly interest me. I never have enjoyed life in mud and water, even with hip boots; nor was I ever enamored of tiresome waiting in a muddy blind. Big-game hunting, in fine country, did

appeal to me, but only to a very limited extent so far as actual dead animals were concerned.

It has been said a thousand times at least, and printed a hundred times, that "the sportsmen passed the migratory bird bill," but that is not one whit more than half true. Perhaps we may justly allow that the "sportsmen" are entitled to one-half the credit for the work and the victory, but that is the very utmost that we will concede. I think that our song bird issue rolled up far more support than their "game." On this point the chronic claimers of credit have had their say in print, over and over, and with the above history we leave that subject forever.

The making of the migratory bird treaty with Canada and England was a matter carried through by Congress and our State Department, with excellent assistance from the Biological Survey. It was largely a formal matter, wrought out by the officials of the two nations who had power to act. On the Canadian side, the treaty-making business was very effectively promoted by the late Dr. C. Gordon Hewitt and Mr. James White, of the Canadian Department of Conservation. Mr. John B. Burnham made a trip to Ottawa to push it along. Once in mid career, when the treaty papers totally sank without trace, *disappeared for several months*, and *no one* could tell us where they were "at," Mr. Hornaday went to Washington, and dug them out of an official filing cabinet in the British Embassy, where an accident in filing had buried them, while the parties responsible innocently thought they were on their way to a finish. After that disinterment, the treaty was rushed to a completion.

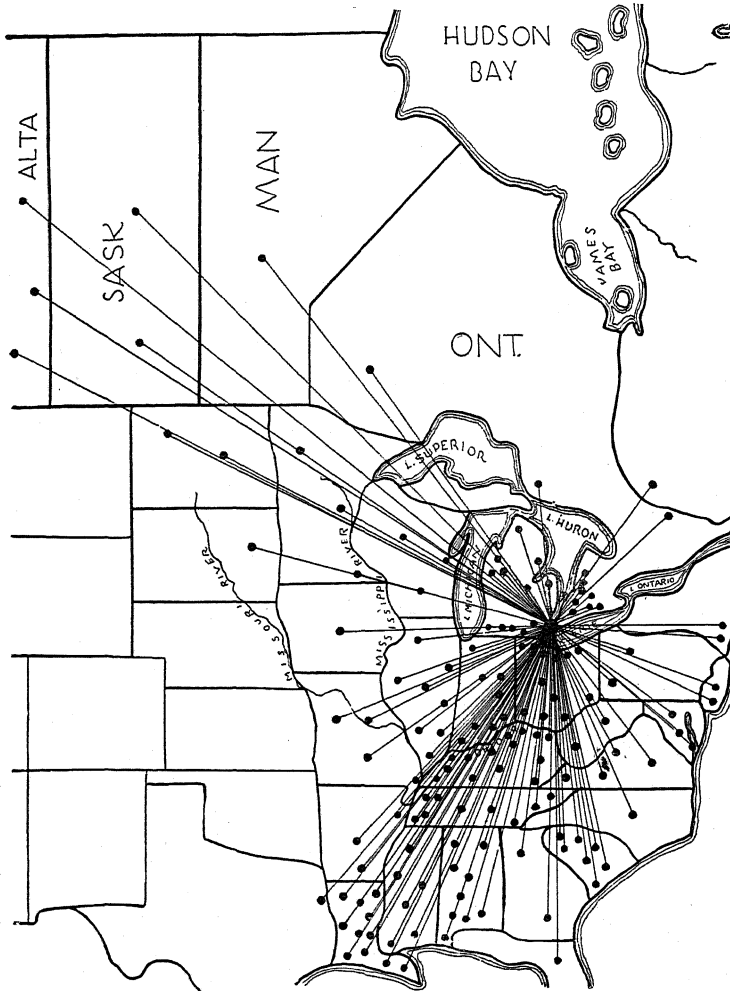
My final service in connection with the McLean Migratory Bird Law was of a very painful character. It concerned an effort to nullify its provision against spring shooting, either by blocking the \$50,000 appropriation for its enforcement, or, failing in that, to cause the *repeal of the entire law*. At a critical point, the organized duck hunters of Kansas City, Missouri, raised Cain with the law over its prohibition of their spring shooting of waterfowl, because of poor shooting in the fall and winter. Savage opposition was started; and Senator James A. Reed was called upon by his own people to make it effective, and defeat the bill.

Immediately I took a flying leap into the ring, to defend the law, and prevent its destruction. I went to Washington and called upon Senator Reed in behalf of the birds. He was polite and kind, but immovable.

The fight that I had with the Kansas City people was very hot, and quite prolonged. They were very determined, well organized, and had plenty of campaign money to spend. Two of their best fighters spent two months on Capitol Hill, to secure enough votes to beat the migratory bird treaty bill. In the House they got pledges of many votes.

Two days before the contest came up for a vote in the Senate, my red pamphlet (Bulletin No. 4) reached all Senators. Its title was "The Missouri Campaign Before Congress to Destroy the Federal Migratory Bird Law." (The destruction of the prospective federal migratory bird treaty with Canada was also involved in this fight.) It was an adequate exposition of the case before Congress, and as usual illustrated by cuts. In fact, the maps and cuts were quite numerous.

It was reported that when the bill was called up for a vote, the leader



WHERE JACK MINER'S TAGGED DUCKS WERE KILLED

Map reproduced from "Jack Miner and the Birds." Ryerson Press, Toronto.

of the opposition, Senator Reed, arose with my red-backed contribution in his hand, and said: "I have received this pamphlet, about this bill, but I have not had time to prepare a reply to it." The Senate then passed the migratory bird treaty bill, to carry the terms of the treaty into effect.

The international migratory bird *treaty* between the United States and Great Britain and Canada was signed at Washington on August 16, 1916; ratified by the President on September 1, 1916, and by Great Britain on October 20, 1916. Ratifications were exchanged at Washington, December 7, 1916, and proclaimed December 8, 1916. The United States Bird Treaty *Act* was passed by Congress and approved by the President on July 3, 1918 (U. S. Statutes at Large, Vol. 40, Pt. 1, pp. 755-757).

## CHAPTER XIX

### THE RISE OF THE FENCED GAME PRESERVE

#### *A Gift for Freedom in Security*

Away back in 1888, Congress appropriated \$200,000 for the purchase of a site on Rock Creek, Washington, D. C., for the founding and development of a National Zoological Park. The original initiative for that movement was taken by the chief taxidermist of the United States National Museum, in 1887, immediately after the completion of the first "habitat" group of American wild animals ever mounted for an American museum.

With the granting of that initial founding fund, for a national zoo that was partly intended to breed buffaloes, elk, antelope, and other big mammals, to help save them from the total extinction that then yawned before them, the instigator of the Zoological Park began to look ahead, and make plans for the future. The first card that came from the pack was the discovery of the best of all fences for hooved and horned big game animals to be kept under man's control, either on public exhibition, or in sanctuaries granting freedom in security.

In the summer of 1888, while W. T. Hornaday was visiting his old friend, George H. Hedley, at Medina, New York, he was taken for a call to the home of a progressive gentleman farmer named Myron L. Parker. While walking over the model farm, the visitors were shown a new stock fence of strong but springy woven wire, about four feet high. It was graphically advertised to be "horse high, pig tight, and bull strong." It was a new product, and Mr. Parker thought it was the first fence of its kind erected in New York State.

Now the taxidermist present was already familiar with wire of many kinds and sizes, and knew very well the properties of straight wire—always stretching, always losing rigidity, and progressively sagging. His first pull at the new Page wire fence revealed a startling new principle. Its horizontal wires were of hard steel, wavy all along, yielding slightly to attack, but always strongly springing back to first principles. The horizontals were tightly held at their allotted spacing by upright tie wires of smaller size, and softer temper; and the strength of the whole structure was amazing.

At once the value of the Page Idea for wild-animal fences became apparent. In less than a month Mr. Hornaday was in correspondence with Mr. J. Wallace Page, of Adrian, Michigan, the inventor and maker of the new fence, and Mr. Page was urged to come to Washington for a conference about a design for a Page wire fence suitable for big wild animals, from buffaloes down to peccaries.

Mr. Page promptly came, and brought a drawing for discussion. In two days of conferences, and a pooling of equal parts of wire and wild-animal knowledge, a 60-inch fence for buffaloes, and an 88-inch fence



for elk, deer and moose, was worked out in detail. The two conspirators agreed that it was quite possible to make square-mesh wire netting, of extra heavy hard steel wire, with meshes about four to six inches square, that would easily hold lions and tigers, without any iron bar-work whatever. This idea was left for later development; and events so ordered things that it was not worked out and utilized until the New York Zoological Park was started in 1898, and its Lion House was erected in 1903. There the Page product was furnished for all the cage fronts, by the Page Fence Company; and it proved extremely satisfactory and successful.

In May, 1889, the National Zoo became a statutory fact. The site of 160 acres was in our possession, and \$92,000 in cash had been appropriated by Congress for the first year's improvements. Mr. Page was asked to manufacture a 100-foot sample of his elk fence, erect it on the National Zoological Park grounds, and submit it to practical tests of strength. This was promptly done; and that trial sample of fence, probably the first wire fence ever made to hold big wild animals, stood every test, and proved brilliantly satisfactory. Its first actual use for wild animal ranges was in the Washington Zoo, and its first use in fencing a private preserve for deer and moose was, so I believe, made by Dr. W. Seward Webb, in the Adirondacks.

Now, what has all this to do with our subject? Everything.

That wire fence, as developed by Mr. Page and the author in Washington in 1888 and 1889, made possible a series of magnificent wild western buffalo-range sanctuaries, owned by the federal government, and dedicated to the semi-wild breeding and safe keeping of half a dozen species of American big game. It made possible more private game preserves, great and small, than we can count, and in zoological parks it was a real boon to directors, animals, and visitors.

In 1905 the acquisition by the U. S. Government of the Indian lands that gave birth to the Wichita National Forest and Game Preserve, in southwestern Oklahoma, led W. T. Hornaday and Madison Grant to propose to the Zoological Society a Wichita National Bison Herd. Its range should be of large dimensions, securely fenced to hold the animals from wandering, and to keep out wolves, dogs, and poachers of all kinds. It should be stocked with a nucleus herd of 15 American bison to be presented to the government, by the Zoological Society, and delivered free at the Range. The conditions proposed were that the government would fence a large range to be selected by the Society, and maintain the whole establishment. The prime object would be to help save the bison species against the extinction which then was well within the range of possibilities.

The Executive Committee of the Zoological Society at once approved the idea, and the offer that was made to the federal government through the Department of Agriculture was promptly approved by the Secretary. Later on it was approved by Congress, and \$14,000 was appropriated for the expenditures necessary in fencing with wire 14 square miles of beautiful buffalo range.

And it was thus, and not otherwise, that the United States government, urged forward by Dr. T. S. Palmer, the Biological Survey, and the

Bureau of Forestry, promptly entered upon the founding of a chain of national bison ranges and herds, suitably scattered over the map of the United States, thereby to make positively sure that by no calamity or disease could the bison species be wholly exterminated.

To finish the bison end of my story, we will add that in this year of 1930 there are in flourishing existence 6 fenced national bison ranges and herds, each containing a fine herd of pure-blood bison, and yielding annually many gift bison to zoological parks near and far. A few are sold to private owners for breeding purposes. The national herds are located as follows, in the order of their making, and in five selected years of development the herds had increased to the figures shown by the following census enumerations of Mr. M. S. Garretson, Secretary of the American Bison Society.

#### NATIONAL BISON HERDS

|                                    | 1911 | 1918 | 1924 | 1926 | 1929 |
|------------------------------------|------|------|------|------|------|
| Yellowstone Park, Wyoming . . .    | 1120 | 1630 | 1888 | 1930 | 1918 |
| *Wichita Bison Range, Oklahoma     | 23   | 92   | 147  | 189  | 257  |
| †Montana Bison Range, Ravalli ..   | 51   | 200  | 560  | 532  | 325  |
| Wind Cave Park, S. Dakota . . .    |      | 49   | 106  | 125  | 147  |
| Niobrara Reservation, Nebraska .   |      | 14   | 46   | 57   | 89   |
| Sully Hills Preserve, N. Dakota .. |      |      | 13   | 14   | 13   |

Of the above, the first three herds have now reached the carrying capacity of their ranges, and their increase is being carefully limited. The future of the American bison species, in wire-fence captivity on great ranges for free breeding and pasturing, is now absolutely secure.

And this brings us to another feature of our story.

*Miscellaneous Big Game in Fenced National Ranges.* No sooner was the first Wichita fenced bison range completed (1907), wound up and started as a going concern, than overtures were made for the placing in it and in others like it divers and sundry nucleus herds of elk, deer, antelope, and mountain sheep. The Boone and Crockett Club presented to the Wichita and Montana Bison Ranges small bunches of prong-horned antelope fawns that had been captured for that purpose in the Yellowstone Park. The American Bison Society purchased a small herd of antelope fawns at Brooks, Alberta, and delivered the animals at the Wichita Bison Range.

The first two contributions to the Wichita fared badly, and one by one the no-stamina little creatures faded away. The third gift herd of 10 antelope came from the American Bison Society, in 1921, and nearly all perished; but the Society's second gift (of 6) in 1922 has fared com-

\* As a fair example of size, the Wichita Range contains 8,000 acres (14 square miles) fenced by 15 miles of wire fence  $7\frac{1}{2}$  feet high, at a total cost, for all improvements made in 1907 the sum of \$15,000.

† Reduced in 1927 by sales of surplus bulls, from 642.

paratively well, and seems to have really settled down to a future of successful breeding.

The first herd of antelope in the Montana range bred and increased to about 64 head, when a hard winter of deeply-drifting snow buried some sections of the protecting fence, and quickly let in coyotes which easily drove the distressed and snow-bound antelope into deep snow, and killed all of them before the danger was discovered. A similar fate overtook nearly all the antelope that were placed in the Wind Cave Park, but a nucleus still survives. Here again the coyotes and lynxes have destroyed many head.

The 50 elk placed in the Montana Bison Range thrived mightily, and bred so rapidly that the total of 550 head in 1927 robbed the bison herd (of 640 head) of so much range grass that revolutionary methods had to be taken to restore the balance of grass for its legitimate owners, the bison. By a great effort, several hundred elk were sold alive, and shipped away; but the surplus elk menace is not yet extinct.

The Yellowstone Park bison range is not fenced, because the members of the herd firmly refuse to go away out into the cold world far from the home corrals where the feed is good and sure, and "express themselves" by living "free and independent" lives. When efforts once were made to graduate a class of surplus bison, and force them to be independent, they firmly refused, and insisted upon taking postgraduate courses.

All the fenced bison ranges now contain elk, deer, and antelope, and two contain a few mountain sheep. The fenced and unfenced ranges for prong-horned antelope will be found set forth in Chapter XXVIII entitled "Antelope Losses and Salvage."

## CHAPTER XX

### THE FIGHT THAT SAVED THE FUR SEAL INDUSTRY

On October 1, 1930, Dr. George Haley, of the California Academy of Science, delivered before the Academy an illustrated lecture entitled: "Fur Seals: a Million Dollar Business."

The furry-coated Alaskan sea lion, universally known to science and the trade as the "fur seal," has been the cause of more years of bitter conflict and contention between nations, between corporations and between individuals, than any other wild animal species that ever lived on this earth or in its waters. Its enemies have been fought with laws, with diplomacy, with appeals to reason, and also with powder and lead leading to the killing of at least a score of men. Whole fleets of seagoing, seal-poaching vessels have been violently seized and separated from their owners. The history of the fur seal species, and of the contentions regarding its slaughter and its salvage, fill a larger number of bound volumes than the strongest man could pick up and carry away. It is also to be added that the blundering and the chicanery that first and last has developed in connection with this picturesque animal literally staggers the imagination.

In my *American Natural History* (1904, '14 and '28) I have printed certain pages of condensed chronological history of the fur seal, zoological and political. Dr. Frederick A. Lucas kindly characterized it as the best condensed history extant, so far as he was aware. It considers the Period of Revenue from 1867 to 1882, and the Period of Contention from 1886 down to the date of last publication, 1928. This chapter will repeat only a very little of the foregoing, and it will concern itself particularly with inside history of the events which culminated in the great victory of 1910 and '11, by which the actual saving and rehabilitation of the almost extinct fur seal herds were accomplished. At the date of the final victory in Congress, 1914, the total fur seal population of the Pribilof Islands had dwindled down to about 130,000 head. At present the total of the fur seal population of those Islands is very nearly, if not quite, 1,000,000 head.

In 1870 the United States Government leased to the Alaskan Commercial Company, for 20 years, the privilege to kill annually on the Pribilof Islands 100,000 young male seals for their skins, for the fur trade of the world, for which our government was to receive annually the sum of \$317,500. Up to 1880, that seal killing was confined to land operations, and the Alaska Commercial Company's rights were exclusive. There was no seal poaching at sea, and the balance of population was preserved. The Company spent over \$100,000 in "introducing" fur-seal fur, and making it fashionable. Then it attracted the attention of various soldiers of fortune. In 1880, the industry of "pelagic sealing," or the killing of seals in the open sea, seriously began. That process was operated by means of guns and spears, to the destruction and loss of great numbers of seals, both males, females, and young, that sank in the sea when killed and could

not be recovered. It was declared that by this method about four females were killed for every male taken; and the young "pups" on shore were left to starve.

In 1882 the number of seals killed at sea and secured was 15,551; but by 1886 it had risen to 28,494. In 1890 the number secured at sea was 40,814, and in 1896 it was 61,838. In 1895 a special agent of the Treasury Department assisted in the counting of about 30,000 dead fur seal pups on the Seal Islands, that had *starved* on the breeding-grounds because their mothers had been killed at sea by the fleet of "pelagic sealers," while they were searching in the sea for fish food. In that year the 81 seal-poaching vessels that were constantly harrying the breeding seals on their fishing grounds took 56,291 skins, and killed and lost perhaps three times that number. By that time the seal herds on land had so fearfully diminished that only 14,846 skins were taken by the North American Commercial Company, which then held the killing lease. This was a drop of 85,000; and after raking and scraping the fur seal rookeries, and killing all seals that were not too old, it was still impossible to secure the permitted quota of a paltry 15,000. In other words, even that low bag-limit was too high.

From 1890 to 1895 the cost to the United States government of its efforts to patrol the waters of Bering Sea, and protect the legitimate fur seal industry, was \$1,410,741; and the worst of it was that all those efforts utterly failed of their purpose. In 1897 there remained alive only 343,746 fur seals.

Meanwhile, the United States Government had strenuously endeavored, by diplomacy and international conferences, to stop the killing of seals at sea—always horribly wasteful and exterminatory—but in vain. At the Paris Tribunal of 1891, our government lost practically every point for which our representatives contended, and the "modus vivendi" there adopted was so worthless that eventually America paid \$473,000 as "damages" to the seal poachers and pirates who stole our fur seals and were caught in the act! There was some violence, some killings of seal poachers, and many seizures of small pelagic-sealing vessels. A little later on, after a great legal battle at the Hague, the Russian government was compelled to pay nearly \$50,000 as "damages" and "interest" to the most notorious fur-seal poacher who ever sailed Bering Sea (Alexander McLean), as "compensation" for the punishment that Russia inflicted upon him after catching him in a raid on the Russian fur seals of the Commander Islands.

In 1898 our own Congress enacted a law to stop pelagic sealing, which did indeed put a stop to it *so far as American poaching was concerned*. But alas! It left the sea wide open to the fleets of Japanese and Canadian vessels which diligently hunted fur seals, even to within three miles of the Pribilof Islands!

By 1903, the seal population was down to about 200,000, and still a-going.

In 1903 Congress sent to Alaska a special Fur Seal Investigating Committee consisting of Senators Nelson, Dillingham, Burnham, and Patterson. Their report to Congress, and the bill they offered, stressed

the necessity to negotiate a treaty with certain foreign nations to suppress pelagic sealing, and provide for *mutual concessions and joint control*. It also proposed that as a first step to that end, Congress should for several years stop the killing of seals on the Islands, to prevent the extermination of the herd. "The moment that can be accomplished" (said Senator Nelson to the Senate, and again on March 17, 1910) "then we are in a position to invite Japan and Canada to negotiate with us."

Senator Dillingham at once introduced a bill to stop for five years all seal killing, but for reasons too long to mention, his excellent bill was permanently pigeonholed in the Committee on Foreign Relations. The bill was not passed, and the whole effort failed.

*The Tragic Death of the Hay-Durand Agreement for a Fur Seal Treaty.*

On October 21, 1905, a tragic event occurred in the life of the Alaskan fur seal "millions," which delayed an international settlement by seven years, and precipitated a three years' war of the greatest bitterness ever waged in any fight over a wild animal species. Here is a description of what occurred, written by Mr. Elliott for these records, two months prior to his death, at Seattle, Washington, on May 25, 1930, at the age of 83.

In collaboration with John Hay, then Secretary of State, and Senators Dillingham, Pratt, and Foraker, Henry W. Elliott framed a draft for a fur-seal treaty between the United States, England, and Canada, to end all existing annoyances, and above all to end pelagic sealing, by a treaty of mutual agreement and joint control, and a fair division of profits. This matter thrived so well that the rough draft was informally approved by Secretary Hay on March 7, 1905, and by Sir Mortimer Durand, British Ambassador, on March 27, 1905.

When Mr. Hay left Washington for a sea trip for the benefit of his health, he instructed Mr. Elliott to work with Assistant Secretary Adee in getting the treaty draft into final form for presentation to the Ottawa government as soon as he (Mr. Hay) returned.

Secretary Hay died on July 1, 1905; and Mr. Elihu Root was appointed his successor. He qualified in October. On October 19, Mr. Elliott went from his home in Cleveland to Washington to take up with Secretary Root the delayed treaty. Assistant Secretary Robert Bacon was his guide, philosopher, and friend; and he remained so to the tragic end. Mr. Bacon received Mr. Elliott on October 20th, and took him at once to the office of the Secretary of State, Mr. Root. For reasons never disclosed, Secretary Root elected to scrap the Hay-Durand treaty.

All these untoward happenings to the fur seals were so long fought by Mr. Elliott and his friends in the United States Senate, and finally engendered so much bitterness, that at last he saw that he could go no further. At last he became so wild with anxiety to save his beloved seals from extinction, that his insistence turned savage, and his relations with certain scientists and bureau officers of Washington became a complete wreck. It was in 1906 that he reached a point where hope died; because no one would do anything more to save the seals.

Early in 1907, Elliott begged W. T. Hornaday, in New York, to "*Do something to save those fur seals!*"

In 1907, when the Seventh International Zoological Congress convened in Boston, the writer took part in the proceedings solely in order to secure, if possible, the adoption of a resolution declaring that "inasmuch as pelagic sealing methods as practiced in Bering Sea and the North Pacific Ocean are rapidly exterminating the Alaskan fur seal species, it is the recommendation of the Congress that the abolition of the pursuit and slaughter of fur seals at sea is desirable, and should be terminated by a treaty between the nations concerned."

All the members of the Committee on Resolutions, save one, *heartily favored the adoption of that declaration*. The aged delegate from Russia firmly objected, on the ground that it touched "the realm of foreign diplomacy," and therefore lay beyond the terms of his authority to act. President Alexander Agassiz sourly and with manifest indignation looked on while the resolution was turned down without action, and that good opportunity was lost.

On January 1, 1909, the fortunes of the Alaskan fur seal were indeed at low-water mark, and the fur seal industry was on the verge of annihilation. The highest estimate of the total survivors was 130,000, and the lowest was 30,000! The spectacle of poor diplomacy, bad politics, and cross purposes both in and out of Congress, led the semi-official *Toronto Globe* to print an editorial closing with these perfectly truthful words:

"If this fur-seal business has ever been equalled for organized deception and hidden political influence the world has never been enlightened by the disclosure."

In the spring of 1909, the writer came broad awake to a compelling sense of his duty to "do something" to save the vanishing fur seals. He felt actually driven to at least go far enough to determine definitely whether it was, or was not, *possible* for private individuals to accomplish *something* in the line of constructive conservation and salvage on a large scale—against frightful odds, and utterly regardless of the trials and failures of others. At last there seemed to be no recourse but to take up the Thankless Task, and try to carry it somewhere.

It was clear that nothing could be accomplished by more recriminations, more quarrelling, or more fighting. But perhaps something good might be accomplished by outsiders who were friendly to all parties concerned! With his matchless fund of fur-seal knowledge and experience, Mr. Elliott would make a powerful advisor and ally, but for the sake of peace and progress, it would be cruelly necessary for him to remain in the background! The situation had become so bad that any change in it would be for the better.

Mr. Hornaday brutally proposed to Mr. Elliott that if the latter would be his chief advisor, but would neither write nor talk to members of Congress without the consent of the high-contracting party, he (Hornaday) would try to "do something." Without a moment's hesitation, Mr. Elliott cheerfully pledged himself to accept and abide by the harsh conditions that the hopeless situation demanded; and he loyally kept his word.

At that time (the summer of 1909) the writer was Chairman of his newly-formed Committee on Wild Life Protection of the Camp-Fire Club

of America, and also a member of the Club's board of governors. To both those bodies he made a proposal that the Club should enter into an effort to induce Congress to enact legislation calculated to save the fur seal species, and the fur seal industry. Facts and figures were laid before the Governors and the Committee to reveal the need for strong action, and the necessity for interference in the fur seal situation by independent private citizens. After careful consideration, and consultation with Julius H. Seymour, legal counsel to the Club, the Club's board of governors voted unanimously to enter into the campaign, for better or for worse. And most gallantly the Club made good throughout the stormy two years' campaign that followed.

Soon after the receipt of that pledge of cooperation, the writer went to Washington and had a conference with Senator Joseph M. Dixon of Montana, Chairman of the new Senate Committee on the Conservation of National Resources. Senator Dixon gallantly enlisted forthwith, and declared that he would "spare no effort in trying to secure the passage of a satisfactory bill."

From that moment, the wheels never stopped whirling until the storm-beaten finish in 1914. On December 1, 1909, in a printed press article of nearly 2,000 words, we appealed to the country against "The Loss of the Fur Seal Industry." On December 10 about 25 newspapers printed it in full. Then the campaign was "on." To the persons most concerned, we declared that in that campaign there would be "no exhibitions of bad blood, no quarreling, and *no fighting!*" On the contrary, it will be a love-feast."

And then—ye gods and little fishes! At the beginning of the third act of that play, there started, and continued right down to the end, the bitterest and most brutal fight ever waged around the fur seal.

On February 26, 1910, there was held in the offices of the Senate Committee on Conservation a very odd and spectacular Hearing, on "A Bill to protect the fur seal fisheries of Alaska, and for other purposes." Eleven members of the Committee were present to hear one witness only, myself! The Committee did not seem to think it worth while to notify or invite any other persons, possibly because no one outside of Congress, save Mr. Elliott had manifested the slightest interest in the fate of the unhappy fur seals.

The following members of the Committee were present: Senators Dixon (Chairman), Dillingham, Heyburn, Clark, Dolliver, Dick, Newlands, Overman, Bankhead, Smith (of S. C.), and Jones.

I was fully prepared to open the case of the fur seal with facts, maps and charts; and for an hour and forty-five minutes the Committee gave close attention to the evidence. One map showed "the Sphere of Influence around the Pribilof Islands" of the Japanese sealing fleet of 30 vessels. A map made by Mr. Elliott showed the wonderful annual migration route of the seal herds. A chart made by Geo. T. Fielding showed the "Net Loss of the Fur Seal Industry to the United States Government, not counting the Destruction of the Herd"; and all of those exhibits were printed large in the Report of the Hearing.



At the close of the hearing, it was perfectly evident that the eleven members were of one mind. There was no executive session, but at once a motion was carried unanimously "that the Chairman be instructed to communicate to the Secretary of Commerce and Labor the views of the Committee that a new lease for the killing of fur seals should not be made, and that steps should be taken to secure treaties with foreign governments for the prevention of pelagic sealing."

And that action instantly killed the leasing system of seal killing, forever and a day. Even at that very moment the Secretary of Commerce and Labor was considering the making of a new killing lease, to take the place of the old one that would expire in April. The Bureau of Fisheries held that the making of a new lease was mandatory; and up to the starting of our campaign not a soul in the Advisory Board of the Fur Seal Service, nor in the Department of Commerce and Labor, had said anything whatever against the making of a new lease, nor in proposal of any new measures for the saving of the seal herds!

On January 15, 1910, close upon the heels of the Dixon resolution, we brazenly appealed to President Taft for a special message to Congress from him, to speed the passage of a bill that had been drafted by the Secretary of Commerce and Labor, supposedly in good faith, but shrewdly leaving future killings of fur seals *in his sole control*. This last provision very quickly bred trouble for the fur seals, and a lot more for Secretary Nagle.

Meanwhile, President Taft graciously and promptly *responded* to our request. On March 15, he sent to Congress a ringing fur-seal special message, which contained the following pertinent paragraph to STOP seal killing at once and to facilitate the negotiation of a new international fur seal treaty:

"It appears that the seal herds on the islands named have been reduced to such an extent that their early extinction must be looked for, unless measures for their preservation be adopted. . . . The herds have been reduced to such an extent that the question of profit has become a mere incident, and the controlling question has become one of conservation. . . . The discontinuance of this policy (of killing) is recommended in order that the United States may be free to deal with the general question in its negotiations with foreign countries."

So far as the unhappy seals were concerned all the government scientists and bureau officers seemed to be sound asleep. In its annual meeting in November, 1909, the Advisory Board to the Fur Seal Service took no action to discourage the deadly leasing system, but on the contrary a recommendation was adopted plainly anticipating a making of a new lease in April, 1910, when the existing lease would expire. No recommendations were made for a treaty to suppress pelagic sealing, or a close season of any kind.

When I first entered the United States Capitol filled with a desire to play a part in the salvage of the fur seal and its "industry," I little dreamed that I was breaking into a hornets' nest of the first magnitude. It was reeking with selfish interests, cross purposes, intrigue, and chicanery. In my crass innocence, I assumed that the case had become so bad and so desperate that everyone would welcome every sane and logical remedial

effort, and play fair! I was grimly determined to accomplish something, but not even in my most sanguine moments did I hope ever to receive "the thanks of Congress," or of anybody else, for even the utmost that I might do.

A resolution drawn by Mr. Elliott to meet our joint views called for:

(1) The immediate stoppage of the leasing system.

(2) The making of a treaty with England, Japan, and Russia to stop the killing of seals at sea, on a percentage compensation basis, and

(3) A 5- or 10-year close season for the recuperation of the herds.

These proposals were carried down bodily from the Hay-Elliott-Durand treaty of 1905-6, which was spoiled by the death of Secretary Hay. I placed the resolution in the hands of Senator Dixon, and after its approval by his Committee on Conservation it was introduced in the Senate.

Previous to that, however, Mr. Elliott had warned me that when the resolution would come up for reference to a committee, a distinguished member of the Committee on Foreign Relations would at once ask that it be referred to *his* Committee.

"And if that is done," warned Mr. Elliott, "it will share the fate of the Dillingham report and bill!"

Naturally, I transmitted that warning to Senator Dixon, and told him to "Look out!"

He looked out. On December 7th, 1909, it happened, just as Mr. Elliott had predicted. Mr. Dixon insisted that the resolution belonged to his committee (which it most certainly did). The member of Foreign Relations said, in substance:

"Our State Department is even now engaged in negotiating a fur-seal treaty with England and Japan," etc.

To save his bill, Senator Dixon finally moved to table it; which was done. And later on (February 15, 1910), at a moment when Foreign Relations were absent from the Senate Chamber, Senator Dixon called up his resolution, and had it referred to his committee.

That was the beginning of that long and bitter legislative battle. Its last act opened with a fierce Congressional Investigation of the operations of the Department of Commerce and Labor, that amazed Congress and the public, and ended in the complete discomfiture of the "fur seal service," root and branch. But even before that, there was a fierce fight with the Secretary of Commerce and Labor, over a new seal-killing operation, as we shall see.

Before that ball opened, however, I took an early opportunity to check up that senatorial statement that the State Department was in the act of negotiating a fur-seal treaty with England and Japan. I went to the State Department, to call upon Secretary Knox for information.

Being an old-timer in Washington usages, I sought the Chief Clerk, the Man who Knows Everything. He received me cordially, and said,

"The quickest way to a result will be by seeing Mr. Adee. He knows all about it."

"But will he be at liberty to tell me what I wish to know?"

"Oh, yes. He is an Assistant Secretary of State."

Mr. Adee received me cordially. I said: "Mr. Adee, I am acting in behalf of the distressed fur seals of the Pribilofs. It has been stated on good authority that your Department is in the act of negotiating a treaty with England and Japan, to stop pelagic sealing. Will you kindly tell me what progress you have made?"

"My dear sir," said Mr. Adee frankly, extending two protesting hands, "*we are not yet even on the threshold of negotiations!* The matter has been talked about, but absolutely no steps have been taken."

That was all that I needed to know.

At once I drafted a long letter of appeal, for a treaty, to Secretary Philander C. Knox. The most important sentence in it was the following:

"After all these years of failures in attempts to improve the condition of the unfortunate and persecuted fur seals by treaty measures, it is now high time for you and your Department to take hold of this matter, and achieve one diplomatic triumph!"

That stern letter, of mingled protest and entreaty, was not answered; but, believe me or not, within ten days from its posting the wheels of the State Department were in motion, *and they never stopped moving until Secretary Knox DID "achieve one diplomatic triumph!"* A fur seal treaty was signed in 1912 between England, Japan, Russia, and America; and it was 100 per cent. perfect! It stopped all seal poaching, immediately, and functioned perfectly from its date down to the writing of these lines.

I have said that Senator Dixon and his entire Committee at once subscribed to our close-season proposal to stop all seal killing for 5 or 10 years, except about 2,500 seals per year to supply seal-meat food to the natives of the Pribilof Islands. That was brought to a showdown with Secretary Nagle, of the Department of Commerce and Labor, at the Hearing held by the Dixon Committee on March 22, 1910. The Committee declared its approval of a 5-year close season on killing operations. Secretary Nagle and Agent Lembkey declared that "in that case \$50,000 more will be necessary to take care of the idle seal-killers and their families." The Committee promptly declared that that sum should be furnished by Congress.

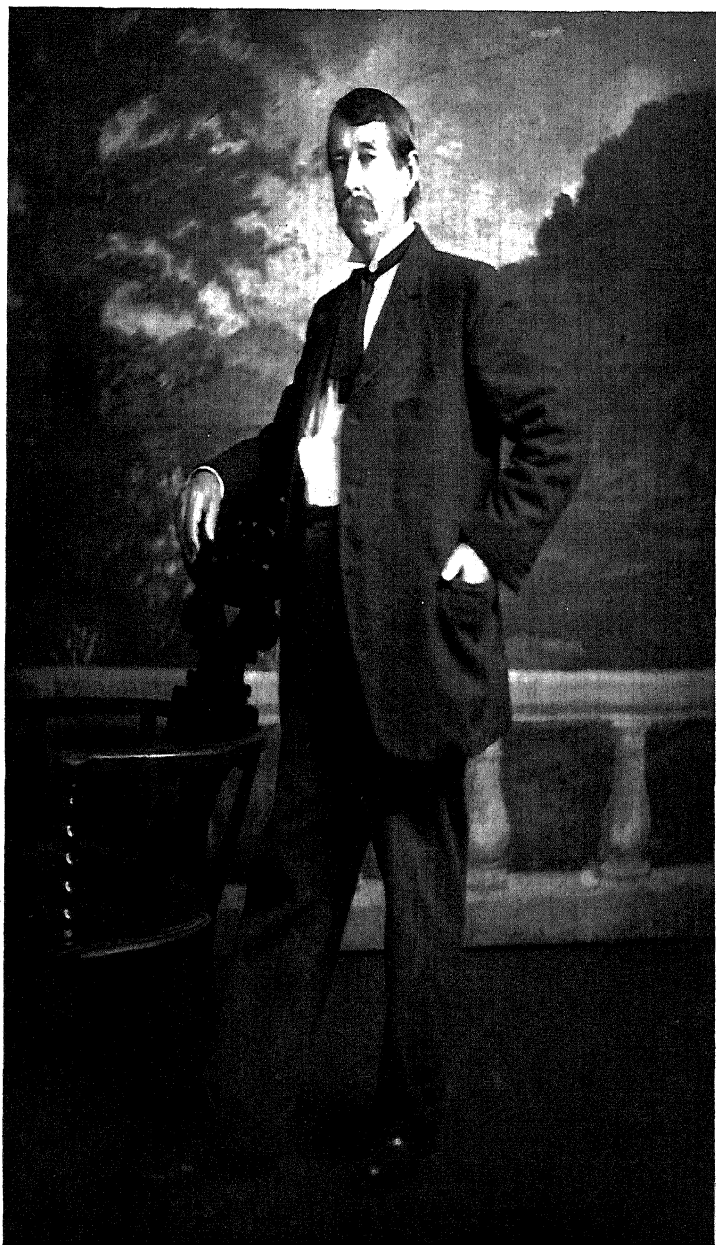
Dr. Hornaday asked that Secretary Nagle should give some "definite assurance" that "except for food no seals would be killed on the Seal Islands for the next five years." Senator Dixon said:

"As I understand it, the policy of the administration is to enforce a closed season. That is the desired policy." (Report of "Hearing," page 29.)

With that perfectly definite gentlemen's agreement, the hearing closed and the Committee and the members of the Camp-Fire Club considered the 5-year close season as really being in effect from that date onward.

Fine! The road was clear to negotiations with other nations interested in Alaskan fur seals. Nothing remained but the drafting of a treaty, and its ratification by Congress and the President. There would be no more fighting in Congress or out of Congress about the fur seals.

The war of 1910-11 over the fur seal was started by the deliberate action of the Secretary of Commerce and Labor, breaking his gentlemen's



HENRY WOOD ELLIOTT

The man who did by far the most to save the Fur Seal industry.

agreement with the Senate. He had insisted that the Dixon Resolution was inadequate, and he insisted upon having a Bill drawn in his department to take its place. But, instead of providing for a 5- or 10-year close season, to facilitate a treaty and to recuperate the herd, *he shrewdly had the bill place in his hands all power over the seals, to kill or not to kill, as he might choose.* Relying on the 5-year close season imposed by the Dixon Committee, and accepted by the Secretary with a promise of \$50,000 for the support of idle natives, the bill was promptly passed by both Houses of Congress, and became a law on April 21, 1910.

And then the fur seal exploiters began to show their hands.

In Seattle, on May 1, 1910, the news was published that Fish Commissioner Bowers intended to kill an unstated number of fur seals, for commercial purposes, and because "they ought to be killed!" A prompt and forceful protest to Secretary Nagle was made on May 10, by Mr. Hornaday and the Camp-Fire Club. The reply was defiant, and wholly unsatisfactory. A stronger protest followed the first one, and the correspondence became savage. The Department of Commerce insisted upon its right to kill "some seals that ought to be killed," and the gentlemen's agreement with a Committee of the Senate was completely ignored.

On August 1st, it was learned that in July, 1920, 12,920 fur seals had been killed, for their skins. And very soon it was revealed that 7,733 of them were pups, females and illegal yearlings!! The friends of the seals were furious, and open war was declared on all persons responsible for that treacherous slaughter.

Mr. Hornaday then wrote to Mr. Elliott, as follows:

"This action is an act of war. The lid is now off. So far as I am concerned you are henceforth entirely at liberty to fight the common enemy just as you see fit; for it must now be a fight to the absolute defeat of one side or the other."

Mr. Elliott threw himself into the fight with a vigor that was inspired by memories of former battles when he fought alone; by the memories of years of official blundering, failures, and maltreatment of the seals, and of the indignities that had been heaped upon him when overwhelmed by enemies. One of my answers to the seal killers was—Henry W. Elliott! And right well did Congress and Mr. Elliott finally avenge that treacherous slaughter. Mr. Elliott had the situation so thoroughly in hand, and he so well maintained the advantage of being absolutely right, that very little further effort by us was necessary. Those twelve thousand nine hundred and twenty seals did not die in vain!

We demanded a 5-year close season, and refused to accept any other settlement. Mr. Elliott preferred charges of misconduct against the Department of Commerce and Labor, and demanded an investigation by Congress. The House ordered it, and Representative E. H. Rothermel, of Pennsylvania, was chosen as its chairman. The investigation opened on May 21, 1911, and closed on March 14, 1914. Secretary Nagle was the only person in the fight who was not put on the witness stand. Mr. Elliott acted throughout as his own attorney, and had no legal assistance. The other members of that Committee were Representatives James T.

McDermott, James Young, Daniel J. McGillicuddy, Bird S. McGuire, and Charles T. Patton.

The printed "Hearings" make two bulky volumes of 1948 pages. They are a testimonial to the fur seal documents, the marvelous memory, logical mind and unquenchable personal courage of Mr. Elliott. With but one exception no guilty man escaped. Mr. Elliott was the only man in the world who could have conducted that investigation, or who had the knowledge to lay bare the situations that it brought to the light. That investigation was solely of the making of Mr. Elliott and members of Congress. I had nothing to do with its conception, nor its management, but, of course, I appeared on the witness stand, to tell what I knew of fur seal history and the causes of the war.

The only thing that the opposition brought forward against me was an effort to discredit my testimony through declarations that I had "never been to the Seal Islands"—to stare at fur seals mixed up with the basaltic rocks, as the "experts" had done, and go away again. It was not conceded that a man could understand the history of fur seal extermination, or the necessity for a treaty to stop seal poaching, without having first matriculated by gazing upon a certain number of living fur seals on the hauling grounds.

In the course of that Rothermel investigation several reputations were badly damaged. The amount of blundering revealed was amazing. The report of the Committee was strictly partisan. The Republican majority members voted guilty as charged, the Democratic members voted not guilty. Within a very short time after the Committee's report was made to Congress, Congress passed the pending 5-year close season bill, thus making our victory complete.

In due course of time and diplomatic procedure, the Department of State completed an excellent treaty with England and Canada, Japan and Russia, which was fully ratified, and which at once put a stop to the wicked and wasteful killing of seals at sea.

We won! All three of our original demands; but the cost to me in old friendships forever broken up was great. Even today it is painful to contemplate. I have many ex-friends who never will forgive me for having started that fur-seal salvage campaign, *nor for its having been successful* in gaining the ends desired. The seals now are back to nearly a million head, but no one thanks Henry W. Elliott, or the Camp-Fire Club, for having brought it about.

As for myself, I have fared better in the matter of appreciation. One man *has* thanked me for my services to the Alaskan fur seal herds, and our nation's fur seal industry. That man was Henry Wood Elliott. As a visible token, he gave me an object of art that I prize. It is his original water color painting of 250,000 fur seals, "The Polavina Parade," finished on St. Paul's Island, July 19, 1872. By the year 2000 Mr. Elliott's great-great-grandchildren may receive for him "the thanks of Congress!" But I doubt it!



## Margaret Olivia Sage

BENEFACTOR OF THE BIRDS OF THE WORLD.

FOREMOST FOUNDER OF THE  
PERMANENT WILD LIFE PROTECTION FUND.

DONOR OF THE  
SAGE GAME SANCTUARY, MARSH ISLAND.

## CHAPTER XXI

### THE PERMANENT WILD LIFE PROTECTION FUND

The Permanent Wild Life Protection Fund was created to forestall the efforts of the enemies of William T. Hornaday to stop his activities by secret pressure put upon his employers. The power of that menace was felt for the first time in 1905, when we were loyally trying to induce the New York Legislature to pass the Zoological Society's own bill against automatic guns. It was felt again in 1912, in the fight to save the fur seals, when a scheme was hatched in Washington to "Stop Hornaday." The Executive Committee received numerous pressing invitations to remove me from my sphere of influence in the wild life protection field, and seal me up with the other wild animals in the Zoological Park. Chairman Madison Grant and President Osborn manfully withstood those attacks, not for months, but for years; but eventually they became galling. Something had to be done about it.

Any man who gives his time and his labor to wild life protection causes is entitled to freedom from backdoor molestation, plus a fair amount of money to expend at his discretion along specified lines. In addition to a guarantee of some freedom of action for me, in 1912 it was highly desirable that the large annual calls upon the Zoological Society for wild life protection money should cease. In those days the Society had quite enough financial burdens without that one.

It seemed to me that the idea of long and active participation in wild life defense, supported by money contributed to an endowment fund to earn a steady income, would appeal to quite a number of far-seeing men and women. My emergency call for a discretionary fund to help put over the Bayne law (against the sale of native game) had been so successful in every way that we believed its basic idea could be carried farther. That objective was gained by one grand assault in force; and as sure as the world, it never would have been put over without that generous fund of expense money, always ready to render service.

In 1911 a plan for the Permanent Fund was wrought on brief lines, and in very simple form. The basic lines of effort to be pursued to improve the condition of wild life seemed perfectly clear. I figured that it would take, as an irreducible minimum, \$100,000 to endow the work to be done, and that no smaller sum would answer. To raise a sum like that, and for such a nebulous purpose, was like trying to climb Mt. McKinley; but it was one of those things that just HAD to be done.

Predicating all success on new and extra hazardous principles, I decided that inasmuch as I would have to do all the work it would be all right for me to have absolute freedom of action. I announced that there would be a working and holding body of three trustees, no president, no vice-presidents, no committees of any kind, no high salaries and no overhead charges. The succession of control was fully provided for, and some very good attorneys have reported to their clients that it is all right to leave bequests to the Fund.



Of the three Trustees created, two were Banking Trustees, to handle and invest all Endowment Fund money and securities. The third Trustee (myself) was to be the Campaigning Trustee and Trustee of Income. All the income of the Endowment Fund was arranged to automatically be turned into the Income Account, and rendered subject to disposal only by the Campaigning Trustee. The first banking trustees were Messrs. Clark Williams and A. Barton Hepburn. On the passing of Mr. Hepburn, Col. James H. Perkins was elected to fill the vacancy.

I had a gentlemen's agreement with Mr. Madison Grant, then Chairman of the Executive Committee, but now President of the New York Zoological Society, that I would prosecute my labors along the lines of wild life protection that we already had agreed upon, and which the Society had approved. This list embraced the stoppage of the sale of game and feather millinery, opposition to automatic and pump shotguns, the making of sanctuaries, the saving of the big game of North America, and so on.

Today I would just like to know how many of my enemies have gnashed their teeth in impotent rage when they found it utterly impossible to find on this earth any man who could-and-would put a ball and chain upon me, to restrain my activities that were objectionable to game hogs.

The raising of the Fund was quite all of the task that I first thought it was, and more. In order to convince the people of New York that the interest in wild life protection extends beyond that city, our first efforts were expended in securing subscriptions elsewhere! Mrs. Frederic Ferris Thompson, of Canandaigua, Mr. George Eastman, of Rochester, and Mr. Henry Ford, of Detroit, each subscribed \$5,000. Col. Max C. Fleischmann, of Cincinnati, made a sportsman's subscription of \$1,000. Mr. Carnegie promised \$5,000 as "the last subscription" of the lot, and finally the fund reached \$32,000.

All was going very well when like a cyclone out of a clear sky there came on the awful whirlwind campaign of October, 1913, for four *million* dollars for the erection of clubhouses for New York's Y. M. C. and Y. W. C. Associations. That effort, which really was a "side-hunt" for millions, was prosecuted with teamwork, committees, luncheons and publicity galore. It sweepingly absorbed all the loose money in sight, and much more; and for a time it completely wrecked the Permanent Fund. For a time there was naught to do but to survey the ruins of our plans, and reflect on the ephemeral character of human ambition.

But "Time at last makes all things even." After a few months in a sanitarium our plans had sufficiently recovered to sit up, and once more be set in motion. In the spring of 1914 it began to look as if an option must be exercised on the Fund, either to increase it, or abandon it. And then Mr. Emerson McMillin, a gentleman of large affairs and large heart, proposed to give a luncheon at the Lawyers' Club, and invite to it several gentlemen who would at least be willing to listen to our story. Knowing well what would be expected of them, eighteen unterrified men had the courage to attend.

The immediate result of the luncheon was a new list of subscribers, which included the names of Messrs. Emerson McMillin, James Speyer,

George D. Pratt, Frederick C. Walcott, John Markle, Col. R. B. Woodward, and others. Another immediate result was the accession of a great amount of new courage. . . . But even then it seemed impossible to attain the half-way mark!

Then it was that the Good Genius of the Fund, Mrs. Frederic Ferris Thompson, became aroused, and secured for it the serious attention of her friend, Mrs. Russell Sage, who promptly sent her check for \$10,000; and at one thrust sent the total up to \$49,000. That being accomplished, in the most sportsmanlike way in the world Dr. William H. Nichols responded—rather ahead of his intentions—with a Founders check for \$1,000, and on May 6—exactly synchronizing with the elaborate senatorial-courtesy attack of Senator James A. Reed upon the Campaigning Trustee (in the feather millinery fight)—the half-way milestone was reached.

The publication of the "Biennial Statement, Vol. 1," demonstrated the seriousness with which we took our job, and helped very much in completing the Fund up to the irreducible minimum of \$100,000. Mrs. Russell Sage surprised me by raising her subscription of \$10,000 to \$25,000; and this emboldened me to ask several founders to *raise* their subscriptions from \$1,000 to \$5,000! Several of them gallantly responded by increases of 400 per cent. By the end of 1914 the subscriptions amounted to \$51,980, but by November 17, 1915, the total stood at \$104,750.

Then we rested, permanently, from our 14 long years of hat-passing for the defense of wild life. All that we have done in money-getting since that time was the securing of \$40,000 from Congress for the Montana National Bison Range, and \$10,000 by a killing national subscription in small sums for the purchase of the nucleus herd of 37 bison for the stocking of the Montana National Bison range, and \$1,400 for Jack Miner's bird-food fund—which we do not count.

Away back in 1913 I solemnly warned the American people in my "Vanishing Wild Life" book, that eventually, when I cease to work (for nothing) as campaigning Trustee, and a good man must be engaged on a living salary, the Fund *must have* an increase of \$150,000 to its endowment fund, to finance the new basis and personnel. But that will not be my funeral.



GOLD MEDAL OF THE PERMANENT  
WILD LIFE FUND

(Full size)

The full list of Permanent Fund Founders and Subscribers is as follows:

# FOUNDERS AND SUBSCRIBERS TO THE PERMANENT WILD LIFE PROTECTION FUND

The Founders are all those whose gifts have amounted to \$1,000 or more.

|  |           |  |           |
|--|-----------|--|-----------|
| Mrs. Russell Sage, New York                            | \$ 25,000 | Robert B. Woodward, Brooklyn                               | 250       |
| George Eastman, Rochester ...                          | 6,000     | Charles A. Dean, Boston, Mass.                             | 200       |
| Mrs. Frederic Ferris Thompson, Canandaigua, N. Y. .... | 5,000     | William T. Hornaday .....                                  | 200       |
| Henry Ford, Detroit, Mich. ....                        | 5,000     | Percy R. Pyne .....  | 200       |
| William P. Clyde, New York ..                          | 5,000     | John M. Phillips, Pittsburgh ..                            | 100       |
| John D. Archibald, New York                            | 5,000     | John C. Phillips, Wenham, Mass. ....                       | 100       |
| Alexander Smith Cochran, New York .....                | 5,000     | C. W. Post, Battle Creek, Mich.                            | 100       |
| William H. Nichols, New York                           | 5,000     | Coleman Randolph, Morristown, N. J. ....                   | 100       |
| Andrew Carnegie, New York                              | 5,000     | A. Barton Hepburn, New York                                | 100       |
| George F. Baker, New York ..                           | 5,000     | Zenas Crane, Dalton, Mass. ...                             | 100       |
| George D. Pratt, New York ..                           | 3,000     | Z. Marshall Crane, Dalton, Mass. ....                      | 100       |
| George Hewitt Myers, Washington, D. C. ....            | 3,000     | Miss Emily Trevor, Yonkers ..                              | 100       |
| Miss Heloise Meyer, Lenox, Mass. ....                  | 2,000     | Norman James, Baltimore, Md.                               | 100       |
| Mrs. Ethel Randolph Thayer, Boston, Mass. ....         | 1,400     | Henry W. Shoemaker, New York .....                         | 100       |
| Edward S. Harkness, New York                           | 1,200     | Gustavus D. Pope, Detroit ....                             | 100       |
| Max C. Fleischmann, Cincinnati                         | 1,000     | Arthur B. Leach, New York ..                               | 100       |
| Mrs. J. S. Kennedy, New York                           | 1,000     | John Markle, New York ....                                 | 100       |
| Emerson McMillan, New York                             | 1,000     | Camp-Fire Club of Detroit ...                              | 100       |
| Frederick G. Bourne, New York                          | 1,000     | J. Ernest Roth, Pittsburgh, Pa.                            | 100       |
| Mortimer L. Schiff, New York                           | 1,000     | W. J. Holland, Pittsburgh, Pa.                             | 100       |
| Samuel Thorne, New York ...                            | 1,000     | Arthur W. Elting, Albany ....                              | 100       |
| Anthony R. Kuser, Bernardsville, N. J. ....            | 1,000     | John H. Eagle, New York ....                               | 100       |
| John Dryden Kuser, Bernardsville, N. J. ....           | 1,000     | Eversley Childs, New York ..                               | 100       |
| Frederick F. Brewster, New Haven, Conn. ....           | 1,000     | R. W. Everett, Pisgah Forest ..                            | 100       |
| Frederic C. Walcott, New York .....                    | 1,000     | Frederick S. Chase, Waterbury                              | 100       |
| Mrs. William H. Bliss, New York .....                  | 1,000     | Mrs. Harriet Williams Myers, Los Angeles, Calif. ....      | 50        |
| Mrs. R. T. Auchmuty, New York .....                    | 1,000     | William Nesbit, New Jersey ...                             | 50        |
| Howard Melville Hanna, Cleveland, Ohio .....           | 1,000     | Willis K. Miller, Indianapolis ..                          | 50        |
| Edmund C. Converse, New York                           | 1,000     | Robert E. Farley, New York ..                              | 50        |
| Watson B. Dickerman, N. Y. ..                          | 1,000     | Colvin Farley, White Plains ...                            | 50        |
| John J. Pierrepont, Brooklyn .                         | 1,000     | Society Pres. Fauna of Br. Emp.                            | 50        |
| Henry A. Edwards, Albany ....                          | 1,000     | Alexander V. Fraser, New York                              | 50        |
| Cleveland H. Dodge, New York                           | 500       | Audubon Societies of Pasadena and Los Angeles, Calif. .... | 30        |
| James Speyer, New York ....                            | 500       | William E. Coffin, New York                                | 25        |
| James B. Ford, New York ....                           | 500       | Charles Willis Ward, Calif. ...                            | 25        |
| Friend of Wild Life, Berkeley                          | 500       | Dr. Emily G. Hunt, Pasadena                                | 25        |
| Miss Elizabeth S. Edwards, Albany, N. Y. ....          | 400       | J. William Greenwood, N. Y. .                              | 25        |
| William C. Gregg, Hackensack                           | 335       | Alfred Collins, Philadelphia ..                            | 25        |
| Homer R. Sargent, Chicago. Ill.                        | 300       | Mrs. Ethel Soper Hardy .....                               | 25        |
|  |           | Richard Harding Davis, Mt. Kisco, N. Y. ....               | 20        |
|  |           | Alaine C. White, Litchfield, Conn. ....                    | 20        |
|  |           | E. N. Buxton, England .....                                | 10        |
|  |           |  | <hr/>     |
|  |           |  | \$105,490 |

CAUSES SPECIALLY PROMOTED BY THE PERMANENT WILD LIFE  
PROTECTION FUND, 1913 TO 1930

- 1910-12—*The Creation of the Permanent Fund*, with an endowment fund of \$105,000.
- 1911-12—*Fur Seal Salvage*—Initiated the final movement that rescued the Fur Seal industry from annihilation, and raised the Fur Seal herds from 130,000 in 1912 to about 900,000 in 1930.
- 1911—*Stoppage of Sale of Game*—Initiated the movement to stop the sale of native wild game in New York State, and raised an expense fund of \$5,025. Completely successful in 1911, in "The Bayne Law."
- 1911—*Snow Creek Antelope Preserve*—Assisted L. A. Huffman, Felton and Governor Shaw, in promoting a state game preserve on Snow Creek, for antelope and mule deer.
- 1912—*Sale of Game*—Assisted Massachusetts (with \$1,000) to duplicate the Bayne Law.
- 1912—*Sale of Game*—Assisted California in passing no sale of game law.
- 1912—*Insectivorous Birds put into "Migratory Game" Bill*—On September 18, the New York Zoological Society injected the crop-protecting birds into the stalled migratory bird bill, and on October 1, at the Indianapolis National Conservation Congress, opened an intensive campaign for popular support. Henry Ford rendered great service. Bill passed in 1913, as Weeks-McLean Migratory Bird Bill.
- 1913—*Stoppage of Feather Millinery*—Made a demand on House Ways and Means Committee of Congress for a clause in new Wilson Tariff act to stop all importations of wild birds' plumage for millinery or other commercial purposes. W. T. Hornaday wrote the clause, and became manager of the campaign that carried it through to adoption.
- 1913—*Initiative with Holland in behalf of Birds of Paradise*—A memorial was sent to the National Zoological Society of Holland (Natura Artis Magistra) pointing out the desirability of a movement to induce the Netherlands Government to suppress the trade in wild birds' plumage throughout the Dutch East Indies. The zoologists of Holland immediately took action which resulted in the almost complete suppression of that industry.
- 1913-17—*Game Sanctuaries in National Forests*—Launched the Chamberlain-Hayden bill; made a transcontinental circuit lecture tour for support; and secured satisfactory backing. Spent, all told, \$3,255; and Senator Reed Smoot, floor leader of the Senate, successfully prevented the bill from being voted upon! No vote could be reached in the House. Effort abandoned in disgust. No one else did anything afterward.
- 1914-15—*Help to Maryland* was given by request, to secure a new code of game laws. The men of Maryland succeeded.

- 1915-16—*Mountain Sheep*—Made campaigns in Montana, Washington, Idaho, Wyoming and Texas, for long close seasons. Finally all states acted save Wyoming.
- 1915—*Drive to Save Upland Game Birds*—In 18 western states a special effort was made for "long close seasons to save the remnant flocks of grouse and quail" from annihilation. A special effort was made to save the Sage Grouse and Pinnated Grouse. Eight states responded with desirable new laws—Iowa, Oklahoma, New Mexico, Utah, Nevada, California, Idaho, Montana and Washington, but several states abandoned the reform.
- 1915—*The Awakening of New Mexico*, into a splendid career of game-protecting activities, was begun in October, 1915, with the encouragement of the Permanent Fund. The chief credit for this new departure belongs to Aldo Leopold, Professor John D. Clark, E. J. Strong and Raymond B. Stamm for the efforts that they put forth, and inspired in others.
- 1916—*Ratification of Migratory Bird Treaty*—When a mid-western state and its Senator made a powerful fight against the Ratification Act of the migratory bird treaty with Canada, the Permanent Fund fought the opposition from its inception to its final defeat in the Senate, and thereby greatly increased the enemies of the Fund.
- 1916—*International Migratory Bird Treaty with Canada*—This treaty was ratified by the Treaty Act passed on December 7, 1916. The initiative was taken by Senators Elihu Root and Geo. P. McLean. Many organizations participated in the advocacy of this measure, and outside of fine support in Congress, it is our estimate, with full knowledge of work done, that the "sportsmen" group is entitled to not any more than one-half the credit, and the birdlovers group to the other half. The Permanent Fund is to be counted in the latter.
- 1916-17—*Educational Effort in Texas*—In response to calls from Texas for help, a line of activities and expenditures covering two years were put forth in that state. (Results were slow in coming, but they came!)
- 1916—*Help to Virginia* was given by request in aid of the "Farmer's Union Bill." The men of Virginia succeeded.
- 1917—*The Fight in Iowa*—In the great fight in Iowa in 1917 by educators and the press against the "organized sportsmen," the farmer won, and the legislature passed a law to stop for five years the killing of the remnants of quail and prairie chicken. The Fund assisted to its utmost.
- 1918—*The Sulzer Alaskan Game Bill* was designed to provide for the year-round sale of moose, caribou and mountain sheep and deer meat in Alaska, "to help win the war" and "beat the beef trust." It was a complete mistake, and by the objections of the Fund's representatives in the Hearing before the House Committee on Territories, the bill suddenly expired in that Committee, and was quietly buried.

1919—*Aid to Bird Protection in France*—Impressed by the indomitable courage of the bird protectors of France in carrying on continuously despite the horrors of war, the Permanent Fund felt compelled to take up a burden of duty toward the French National League for the Protection of Birds. Money was most urgently needed by the League. The Fund pledged \$500 per year until further notice, and at once began to deliver the goods. This has continued for 11 years, and in the light of visible and practical results achieved, it has proven an exceedingly wise investment.

The greatest work of the League has been in the creation of about forty bird sanctuaries. Among other measures promoted, the League has established a silver medal of wonderfully artistic design, which it awards as the Fund's prize, for valuable services in the protection of wild life. The Fund has also furnished many of its gold honor badges for bestowal by the League in France.

1920—*A New Game Act for Alaska*—For several years, the out-of-date game laws of Alaska had been causing criticisms and complaints, which threatened to become a revolt. The Fund issued on February 15, 1920 Bulletin No. 6 entitled, "A New Game Act for Alaska." At once this aroused intense hostility in Alaska, and the author became involved in a controversy, in which he was attacked by many persons who should have supported him. In the United States, Mr. Edmund Seymour was the only man who fought for him. Finally, Hon. Dan A. Sutherland, Alaskan delegate to Congress, and Dr. E. W. Nelson drew up an excellent new code of game laws for Alaska, and Congress promptly passed the bill into a law. (1924.)

1920—*Beginning of Nation-Wide Bag-Limit and Open Season Reform*—In 1920 it became apparent that the migratory game birds of the nation were being overwhelmed by the enormous increase of sportsmen and other hunters, operating most deadly advantages against all kinds of killable game. While many good laws were on the statute books, the 48 armies of hunters were sweeping away the game birds.

The general manager of the Fund published on May 20, 1920, Bulletin No. 7 of the Fund, entitled "The End of Game and Sport in America." A demand was made for lower bag limits, shorter open seasons, more game sanctuaries and food, more killing of vermin, higher hunting license fees and better law enforcement. In the East, this publication was met by a silent boycott.

1922—*Effort to Save Game in South Africa*—Impelled by detailed reports of disorganized game protection in South Africa (because of the world war), the Permanent Fund undertook to do something to stir public interest in that bad situation. In collaboration with Dr. Alwin K. Haagner, Director of the Zoological

Gardens of South Africa, at Pretoria, Mr. Hornaday prepared and the Fund published as Bulletin No. 10, an illustrated pamphlet on "The Vanishing Game of South Africa," of which 2,500 copies were distributed in Africa. The English text was translated into Dutch, and printed in full; and altogether the sum of \$2,322.84 was expended for the benefit of the people of South Africa and their remnants of big game. Later on this expenditure was increased by \$1,900.

1923—*The Louisiana Gulf Coast Club*—In July, 1923, there was launched a carefully matured plan that originated with Edward A. McIlhenny, of Louisiana, to create a club of 4,000 members to occupy as shooting-grounds the whole area between the Rockefeller Wild Life Sanctuary (coast of Louisiana) and the two other bird sanctuaries eastward thereof, of which Mrs. Sage's Marsh Island was one.

This move aroused widespread opposition, on ethical and conservation grounds, and the Fund vigorously opposed it. Eventually the 4,000 members could not be secured, and the great duck-killing project came to naught.

1920-26—*Prong-Horned Antelope Preservation*—During six years the Fund diligently promoted the preservation and increase of the Prong-Horned Antelope. In active operations in 5 states and Mexico, the Fund expended a total of \$5,368.

1920-26—*Mountain Sheep Preservation*—During this period the Fund expended \$1,410 in efforts to protect and increase the Mountain Sheep of California and Mexico.

1920-26—*Bird Sanctuary Campaign of People's Home Journal*—Through the initiative of Editor Moody B. Gates, the owners of the People's Home Journal magazine decided to make a great drive for new public interest in bird protection, to be practically manifested by creating bird sanctuaries through the posting process. The Permanent Fund was invited to take a partnership interest in the undertaking, which was done.

Starting with great vigor, this effort was prosecuted regardless of the slaughter of advertising space, and it was kept up for six years. The chief function of the Fund was to furnish prizes of several kinds as awards to the persons bringing into existence large numbers of posted farms and ranches. The total number of sanctuaries made was 9,066, with a total area of 2,718,102 acres. On our share of that really great effort, the Fund expended a total of \$2,703.59. The majority of the sanctuaries made were in the South, where they were most needed.

1926-28—*Defeat of the Public Shooting Grounds Bill*—In 1925 it was revealed that the so-called "game-refuges" to be established by this bill were really convertible into shooting-grounds at the option of the Secretary of Agriculture. This changed the original aspect of the bill into a more-killing measure; and its proponents were bitterly opposed to our campaign to reduce

- killing through bag limit and open season reforms. Finding our way blocked by those forces, we contributed to the final defeat and death of "the game refuge bill."
- 1928—*The Norbeck-Andresen Sanctuary Bill*—We contributed substantially to the success of this fine measure.
- 1929—*The McNary-Haugen Bill*—The logic of the situation of American game birds and excessive killing by 48 armies of sportsmen impelled Senator Charles L. McNary and Representative Gilbert N. Haugen to sponsor a bill to reduce bag limits for an indefinite period, by act of Congress, on about 35 species of migratory game birds.
- 1929—*State Bag Limit Reductions*—Up to December 1, 1929, a total of 29 states had voluntarily reduced their bag limits on waterfowl; but the 19 states of greatest duck concentration refused to do so.
- Dec. 31, 1929—*The Secretary of Agriculture Acts*—On the last day of the third decade of the 30 years of war for wild life, Secretary Arthur M. Hyde announced in a press bulletin the intention of the Department to reduce all bag limits on waterfowl to a total of 30 in possession.
- 1930—September—*The Case of the Brant*—On this date the "Hunting Regulations for 1930" appeared from the federal Department of Agriculture. They announced "15" as the daily limit on ducks, "4 geese and 8 brant!" This means 12 geese per day; and on the opening of the state hunting seasons 28 states had authorized the killing of 12 geese per day—provided 8 of them were brant. This makes a daily total of 27 waterfowl!

#### GOLD MEDALS AND HONOR BADGES FOR DISTINGUISHED SERVICES TO WILD LIFE

Early in its history (1915), the trustees of the Permanent Wild Life Protection Fund developed a gold medal to be awarded to persons "who rendered conspicuous services to the cause of wild life, and especially services that represented real sacrifices, that produced tangible results." Each medal bestowed would be permanent proof to its recipient that someone appreciates faithful and sincere services to the imperiled birds and mammals of the world. The Trustees of the Fund formally offered to make its awards available to the Boy Scouts of America, and proposed that the Courts of Honor of the Scouts should themselves designate the Scouts to whom medals and gold honor badges should be awarded. In pursuance of the above policy, gold medal and honor badges have been awarded as shown in the following list. In addition to the persons named herein, a number of gold honor badges have been furnished to the French National League for the Protection of Birds, and have been awarded in France by that excellent organization of bird defenders.

All the awards of gold medals and gold honor badges bestowed in connection with the campaign conducted by the *People's Home Journal* magazine will be found listed in the next chapter.



## RECIPIENTS OF THE "DISTINGUISHED SERVICE" GOLD MEDAL

MRS. RUSSELL SAGE, New York City.

For powerful and far-reaching influence in the protection of the birds of the world.

ALDO LEOPOLD, Albuquerque, N. M., and Madison, Wis.

For conspicuous services in awakening New Mexico to wild life protection activities.

DR. T. C. STEPHENS, Morningside College, Sioux City.

For successful leadership in Iowa's campaign of 1917 to save quail and pinnated grouse.

DREW W. STANDROD, JR., Pocatello.

For conspicuous leadership in saving the sage grouse of Idaho in 1917.

JOHN M. PHILLIPS, Pittsburgh, 1918.

For 15 years of devoted, self-sacrificing and successful services to wild life, in Pennsylvania, the United States, and eastern British Columbia.

THORNTON W. BURGESS, Springfield, Mass., 1919.

For vast services in teaching American children to appreciate and preserve wild birds and animals.

PROF. JOHN M. CLARK, Albany, 1919.

For leadership in securing permanent protection for birds in the Gulf of St. Lawrence.

MRS. FREDERIC FERRIS THOMPSON, Canadagua, N. Y., 1922.

For 15 years of generous and far-reaching services to the wild birds and quadrupeds of North America and the world at large.

PRESIDENT ALVARO OBREGON, City of Mexico, 1922.

For decree protecting mountain sheep and antelope of all Mexico for ten years.

PRESIDENT ALFONSO L. HERRERA, City of Mexico.

For distinguished services in saving the mountain sheep and prong-horned antelope of Mexico.

MOODY B. GATES, New York City.

For remarkable initiative and services throughout 5 years in the creation of more than 9,000 bird sanctuaries in the U. S. through the *People's Home Journal*.

ADRIAN LEGROS, Valenciennes, France, 1922.

For important services in the creation of many bird refuges in France.

SCOUTMASTER HARRY J. HALL, Carbondale, Pa., 1922.

For 20 years' diligent and effective services in the protection of wild life.

SCOUT CARL K. TRANUM, Bristol, Tenn., 1926.

For creating wild life sanctuaries, and other good services to Tennessee birds.

ARTHUR E. ROBERTS, Scout Executive, Cincinnati.

For fine services to the birds of Ohio and adjacent states.

## GOLD HONOR BADGES AWARDED FOR SERVICES TO WILD LIFE, 1920-1929

SCOUT FRANK H. CHERMOCK, Pittsburgh, Pa., 1922.

For praiseworthy services in the protection of birds.

SCOUT RUAL H. PERKINS, Sulphur Springs, Texas, 1922.

For valuable services to wild life, in the protection of birds.

SCOUT ALLEN MELTON, Sulphur Springs, Texas, 1922.

For services to wild life, in the protection of birds.

D. C. BARTLEY, District Scout Commissioner, Zillah, Wash., 1922.

For services to wild life, especially in creating a game preserve in Yakima County.

MARSHAL D. BEUICK, New York City, 1922.

For valuable services in the bird sanctuary campaign of the *People's Home Journal*.

SCOUT EDWARD STRAUS, Minneapolis, Minn., 1923.

For good services to the birds of Minnesota.

MRS. MILDRED W. YOUNG, Stamford, Conn., 1923.

For services in stopping the cruel use of monkeys by organ grinders in Connecticut.

SCOUT ALBERT CAPLAN, Philadelphia, Pa., 1923.

For efficient services to the wild life of Pennsylvania.

SCOUTMASTER HENRY S. DOUGLAS, New London, Conn., 1923.

For valuable services to the birds of Connecticut.

WILLIS LANGHORNE HOWIE, Indianapolis, Ind., 1923

For good services to the birds of Indiana.

HON. A. L. SCOTT, Pittsburg, Kansas, 1925.

For valuable services in the cause of bag-limit reform.

EARL K. LORIMER, Assistant Scoutmaster, Fort Shaw, Mont., 1925.

For valuable services to the birds of Montana.

F. DOUGLAS HAWLEY, Scout Executive, Twin Falls, Idaho, 1925.

For timely and efficient service to the wild life of Idaho.

EDWIN A. OSBORNE, Richmond Hill, N. Y., 1925.

For the defense of bird life throughout ten years of warfare.

FRANK M. DETRICK, Trafford, Pa., 1926.

For services in procuring a long close season on quail in Pennsylvania, and other services.

SCOUT C. R. WILLIAMS, Schenectady, N. Y., 1926.

For creating a wild life sanctuary, and other activities.

SCOUT ROBERT McCULLOUGH, Chicago, 1926.

For services in the protection of the birds of Illinois.

REV. E. D. UPSON, Scoutmaster, Madison, 1927.

For good services to the birds of Wisconsin.

SCOUT WILLIAMS C. DARRAH, Pittsburgh, 1927.

For valuable services in protecting and sustaining the birds of Pennsylvania.

HERMAN E. WRIGHT, Scoutmaster, Emerald, 1927.

For fine services in protecting the wild life of Pennsylvania, and for saving two deer from drowning.

SCOUT ROBERT K. HARBISON, Pittsburgh, 1928.

For good services to the birds of western Pennsylvania.

SCOUT HUNTLEY RUSSEL, Grand Rapids, 1928.

For a long line of good services to the wild life of Michigan.

EDWARD S. MARTIN, Secretary Editorial Board, Boy Scouts of America, New York, 1929.

For ten years of valuable services in the protection of wild life.

SCOUT LAWRENCE A. HAUZT, Minnesota, 1929.

For a valuable bird sanctuary creation, and bird-food planting. (1927-'28-'29.)

CARL KLINGER, Minnesota, 1929.

For a valuable bird sanctuary creation, and bird-food planting. (1927-'28-'29.)

RAY M. BRITTINGHAM, Scoutmaster, Oakville, Conn.

For five years of valuable services to wild life.

SCOUT GEORGE FRY, Ephrata, 1929.

For diligent wild life conservation activities in Pennsylvania.

SCOUT ARNOLD TAYNTON, Matamoras, 1930.

For valuable services to the birds of Pennsylvania.

LONE SCOUT HARRY JAMES EGGER, Grand Junction, Colo., 1930.

For efficient services to the birds of Colorado.

SCOUT HAROLD K. WHITFORD, New York City, 1930.

For making about 100 farm sanctuaries, and other good services to wild life.

## THE FUTURE OF THE PERMANENT FUND

I know of no better place in which to say something about the future of the Permanent Fund than here. I would be derelict in one item of my duty to the founders of the Fund if I failed now to take an account of stock, and try to provide for the future. Just whether it is possible for me, or for anyone, to induce any wealthy Americans to furnish the new funds that are absolutely necessary to the effective continuation of the work of the Fund, remains to be seen. It is in the lap of the future, and I think that I will have to leave it there.

No matter what disposition is made of the Endowment Fund of this foundation after my death, it cannot continue on its present basis of absolutely free service from the general manager. I have been content to toil for 30 years at the Thankless Task because my income was honestly and fully earned in other fields. For years the Zoological Society furnished, rent free, good office facilities, and the small payment made by the Fund to its secretary and accountant, on account of the mass of extra work that she performed every year in this cause, was a mere bagatelle.

The foundation plan on which the Endowment Fund was subscribed provides for the transfer of the Endowment Fund at my death, or retirement from Fund activities, to the custody of the New York Zoological Society. Unfortunately, the developments of the past 20 years have fully demonstrated that the New York Zoological Society's Board of Managers and Executive Committee in all probability never will feel disposed to assume full responsibility for the performance of the work of the Fund by a member of the Zoological Park Staff. The unearned increment of hostility *that effective work for wild life protection now entails*, would be too great. It is folly to disguise the fact that any man who is endowed with the means of warfare, and makes war upon the enemies and ruthless destroyers of wild life as he should make it, cannot go through even a single year without making numerous enemies. But for the fact that my sole responsibility for the fighting done by the Permanent Fund enabled the officers of the Zoological Society to refer all complaining objectors to me, I would quite early in the history of the Fund have been compelled to either stop my wild life protection work, or resign from the Zoological Park service.

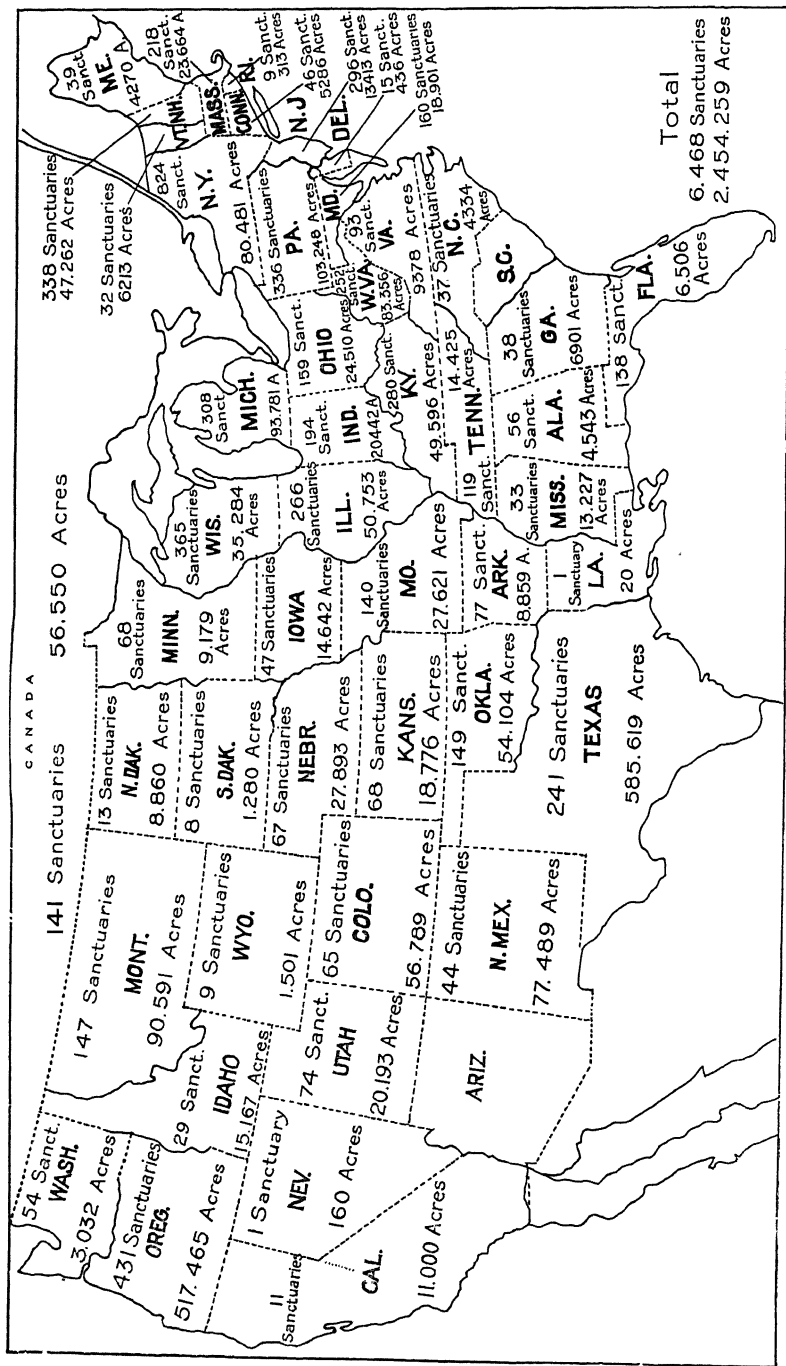
No one save Mr. Madison Grant, President of the Society, can tell how much he has been called upon to endure, and how much he has endured without flinching, from the attacks of enemies who sought to put me out of business by hostile influence exerted upon my employers in the Zoological Society. It is my understanding that the Zoological Society deems it unwise for the present Director of the Zoological Park to enter actively into wild life protection campaigns, and I have become convinced that this view is entirely correct.

The future general manager of the Permanent Fund should do nothing out of harmony with the established wild life protection policies of the Zoological Society, or for that matter, out of harmony with its future policies. The Society is the real mother of this foundation, and this fact should never be forgotten by any future general manager of the Permanent Fund.

It is both wise and necessary that the future general manager of the Fund should live and work apart from the Zoological Society's establishment. He should have an office and a secretary of his own, and he should devote himself so completely and thoroughly to the wild life protection work of the Permanent Fund that he would have neither time nor opportunity for earning a salary elsewhere. The logical conclusion is that the future manager must draw a living salary from the Fund itself; and that salary should not be any less than \$4,000 per annum. The final conclusion is that the Permanent Fund must have, in order that its future usefulness may continue unabated, an addition of at least \$150,000 to the Endowment Fund, which increase should be secured with an express understanding on the part of its subscribers that from its annual income the salary of the future general manager must be paid. This is necessary because of the fact that the present Endowment Fund of \$105,000 was solicited and subscribed on an agreement that no large salary or salaries should be paid from it.

During the past 5 years the writer has noted the fact that while the moneyed people of America show immense prodigality and kindness of heart in making huge bequests, and pouring out uncountable millions of money, to all kinds of educational, artistic, literary and philanthropic foundations, they sharply draw the line at wild life protection. Today, nearly all of the purse-strings of the nation seem to have been drawn tightly against *all those who demand less killing by sportsmen!* Is it not queer?

The givers of big money for game protection now seem to have come down to a basis of refusing to give anything to wild life causes, save for "investigations," dilatory "education," and promotions that promise to *yield killable game to the givers*. Can anyone beat that as a basis for saving the wild life of a great nation? By way of illustration, we cite the quail investigation that for three years has been going on in the south for which a Fund of \$60,000 was easily procured for the benefit of an effort that confessedly is to produce more quail shooting. "The Report on Co-operative Quail Investigation of 1924-25 and 26" makes a handsome pamphlet of 62 pages, of considerable academic interest to students of academic bird lore. If it is of any value to the grossly abused and maltreated *quail species of North America*, in the making of better protection from their most deadly enemies, I have failed to observe it. As research goes, it is a good piece of work; and it is a fair example of what may be expected of efforts to preserve the remnants of persecuted and decimated wild life by academic researches during the last hours of the patient's existence. At the present moment the sportsmen of the State of New York, who until the last moment (1929) refused to even endorse our bag limit campaign, now are in the act of wasting \$50,000 of conservation money in five years of further investigations of ruffed grouse disappearance. And in the season of 1930, the conservationists of New York induced Governor Roosevelt to *veto* the bill wisely passed by the 1930 legislature to continue the state closed season on the sick and vanishing ruffed grouse. Governor Roosevelt and others have assured me that the veto was brought about by "conservation" influence, and not "political" pressure!



MAP OF SANCTUARIES OF THE PEOPLE'S HOME JOURNAL

## CHAPTER XXII

### A GREAT SANCTUARY CAMPAIGN

Early in 1918 in a particularly fortunate moment Mr. Thornton W. Burgess, a gold medalist of the P. W. L. P. F., proposed to the editors of the *People's Home Journal* magazine the idea of a contest in making private game sanctuaries. The chief editor of the *Journal*, Mr. MOODY B. GATES, quickly saw the point, and without loss of time a workable plan was brought out, the executive machinery was constructed, the button pressed, and the wheels set in motion.

Men and women, boys and girls were asked to take blank pledges to the owners of farms, forests, and ranch land, pointing out the great necessity of providing protective sanctuaries for our harassed birds and quadrupeds, then asking for signatures pledging the signers to make of their property havens of refuge in which no killing of any wild thing, save predatory animals, would be permitted.

The Permanent Wild Life Fund was asked to take an active part in the campaign, by furnishing prizes consisting of gold medals, honor badges, cash, and books, to serve as rewards of merit for service rendered and results achieved. The invitation was immediately accepted, and our share of the work was performed.

During the five years that the campaign was diligently pursued, the *People's Home Journal* brought about the making of 9,066 sanctuaries, having a total area of 2,718,102 acres, in 45 states. It was a unique and conspicuous achievement in wild life conservation. It was clear above the domain of advertising for profit; but in the value of advertising space consumed, it must have cost the magazine heavily. It is impossible to imagine the pursuit of a cause for public benefit on a higher plane. Near its close the undertaking was made the subject of a special bulletin of the Permanent Wild Life Protection Fund, and at our request the *People's Home Journal* prepared a map of the United States showing clearly the results achieved. The map, however, was published before the final campaign was completed, and its showing of the total results secured up to the end of 1919 is, therefore, less than the figures of the grand total quoted above.

This remarkable magazine undertaking is here cited as an example of the fine educational work that a magazine can do for the practical benefit of wild life when people with power determine to make sacrifices in that cause, and diligently pursue that determination for five years.

Throughout this campaign the Permanent Fund did everything that it was asked to do in the line of contributing assistance and expenditure. The extent of our cooperation is measurably represented by the \$2,703 expended in cooperation, chiefly in furnishing prizes to the winners in the annual contests.

## DISTINGUISHED SERVICE GOLD MEDALS

AWARDED BY THE PERMANENT FUND FOR SANCTUARIES

## CONTEST OF 1918

Rev. Harold E. Mouse, Elkins, West Virginia.  
Rev. J. J. Resh, Freeland, Pennsylvania.  
Mira Hunt, King, Montana.  
George L. L. De St. Remy, High Point, Saskatchewan, Canada.

## CONTEST OF 1919

Mrs. Pamela J. Francisco, Ridgewood, New Jersey.  
Frank B. Tichenor, Portland, Oregon.  
Bertha J. Mastin, Elkins, New Hampshire.

## CONTEST OF 1920

William H. Grim, Hamburg, Pennsylvania.  
Mrs. Melvina Mouse, Elkins, West Virginia.  
Lenhardt E. Bauer, Terre Haute, Indiana.  
Edna Kennedy, Hutchinson, Kansas.

## CONTEST OF 1921

William Quarles, Amarillo, Texas.  
Mary J. Pillmore, Rome, New York.  
Mrs. J. W. Lawson, Oracle, Arizona.

## CONTEST OF 1922

Dr. Frank W. Port, Olin, Iowa.  
Mamie Sells, Stockdale, Texas.

## CONTEST OF 1923

Elora Blaettner, Wyaconda, Missouri.  
Mrs. J. W. Hall, Mitchell, Nebraska.  
Mrs. Sarah C. Peters, Uteleyville, Colorado.

## CONTEST OF 1918 CASH PRIZE OF \$50

Flora Whitfield, Raton, New Mexico.

## GOLD HONOR BADGES AWARDED

## CONTEST OF 1921

Mrs. Pamela J. Francisco, Ridgewood, New Jersey.  
Edna Kennedy, Hutchinson, Kansas.  
Nick Sutyak, Plainfield, Wisconsin.  
Mrs. George Warmoeskerken, Mainstee, Michigan.  
Edwin P. Flaum, Dale, New York.  
Mrs. F. M. Kalman, Walkerville, Michigan.  
Sarah C. Peters, Oklarado, Colorado.  
Mrs. R. S. Sells, Stockdale, Texas.  
William McGlumphy, Dilo, Montana.

## CONTEST OF 1922

Elora Blaettner, Wyaconda, Missouri.  
Mrs. H. Sivertsen, Autryville, North Carolina.  
Mrs. E. L. Martin, Phippsburg, Colorado.

## CHAPTER XXIII

### THE END OF FEATHER MILLINERY

It was about 1875 that the manufacturing milliners of the United States began to take a deadly interest in the plumage of wild birds as ornaments for the headgear of women. It began with nearby song birds, it soon attacked the terns and gulls of the seashore, and then it spread to the tropics to take in every bird species that bore the curse of bright plumage.

In the early days of the reformation, I received a clutch of eight fully-mounted humming birds that one lady had been wearing in and around the top of her hat, but which suddenly had filled her with remorse. It was a common thing to see the whole of an angular and ugly stuffed tern on the side of a lady's hat; and "aigrettes" from the little snowy egret were for years worth their weight in gold.

The naked Indians of the jungles of South America were taught how to make skins of hummingbirds for the market, and the information spread until thousands of Indians were busy in killing annually tens of thousands of hummers for the feather trade. In 1912 Mr. William Beebe bought in London, for the New York Zoological Society, about 400 good skins of hummingbirds at 2 cents each.

In the last quarter of the past century, the states began to get busy with laws prohibiting the killing of their birds for millinery, and the use of feather millinery derived from native wild birds. Dr. Palmer's "Index and Chronology" contains the following entries of anti-plumage laws: "*Plumage*—Florida, 1877; California, 1895; Massachusetts, 1897, 1898;

Maryland (seizure of gulls), 1900; Louisiana, 1907; New York, 1910, 1911; New Jersey, 1911."

And then, in 1913, the whole thing blew up!

In January, 1913, the 69th Congress began to create a new tariff law. Hearings were held almost continuously, from January 1 to April 1. On January 30, William T. Hornaday appeared for the New York Zoological Society before the Ways and Means Committee of the House, with a suitcase full of plumage bird-skins and plumes, and asked for a clause in the new tariff act to prohibit the importation into the United States of all skins and plumage of *all the wild birds of the world* intended for commercial purposes. Mr. T. Gilbert Pearson appeared for the National Association of Audubon Societies, asking for the exclusion of the plumage of American birds. Representative Francis Burton Harrison remarked upon the limited demand of the Audubon Society, as compared with ours. The proceedings were printed in full in "Tariff Schedules," p. 442.

On March 11, Representative Harrison wrote to Mr. Hornaday requesting him to draft a clause for the tariff bill, to embody his ideas for the exclusion of plumage; and Mr. Hornaday drew and forwarded on March 13, the following clause, intended to protect all the wild birds of the world against importation into the United States for millinery, or other commercial purposes:



"*Provided*, that the importation of aigrettes, egret plumes or "osprey" plumes, and the feathers, quills, heads, wings, tails, skins or parts of skins, of wild birds, either raw or manufactured, and not for scientific or educational purposes, is hereby prohibited; but this provision shall not apply to the feathers or plumes of ostriches, or to the feathers of domestic fowls of any kind."

The above was accepted and incorporated, without any alteration whatever, in the new tariff bill; and the bill was passed by the House on April 7, 1913.

The acceptance of our world-wide measure automatically placed upon us the duty of making a worthwhile campaign in support of our clause in the great fight that immediately started against it in the United States Senate. In the House, the feather millinery trade had been caught napping; and the trade frankly admitted it. That was why there was no fight in the House. Automatically, the Senate became the battle scenario of a mighty struggle. The importers organized a line of shock troops that was formidable, and well-handled; and for its period they gave us one of the hardest fights of our lives.

I am glad to record the fact that from start to finish it was a perfectly clean and honorable scrap. It was a struggle over a basic principle, and there were no personal equations to obscure the issue. For once the Zoological Society's representative was not called names, nor whispered against, nor attacked to his employers.

Of course we appealed to the women of America, to take a hand in saving birds alive, rather than as hat decorations; and they gallantly responded. We enlisted the aid of thousands of militant women at home and in far-off regions of the United States, who played their full part right down to the finish. Many of them were presidents and chairmen of organizations, or conservation committees, and all such counted well with their state delegations in Congress.

We held our own fairly well—until the last month of the campaign period. Then our opponents convinced a special sub-committee of the Senate Finance Committee, that they were right, and we were wrong; and knowing right well that the decision of that sub-committee would be final and fatal, *we saw that we were beaten!* It was not that we "would" be beaten; it was a "were"! The logic was on our side, but the opposition actually *had* the decision.

In sheer last-chance desperation, I drafted a terrible circular of protest; and 24 of our leaders, women and men, solemnly signed its galley proofs without asking me to change a word. The title of it was:

"THE STEAM ROLLER OF THE FEATHER TRADE IN THE U. S. SENATE."

It recorded names, and put all cards upon the table. When we posted it to all members of the United States Senate, I actually quaked with fear that I would be haled before the bar of the Senate for high treason, or at least contempt; but nothing of that kind happened at once, and presently I was able to breathe naturally.

In the regular Democratic caucus on the tariff bill, our section caused a great commotion. I was told that it consumed two hours. The Washington Post's report said "three hours." It was well attested that when

the caucus actually had voted to accept the report of that sub-committee, and throw out our entire clause, Senators Chamberlain and Lane, of Oregon, arose and denounced the decision, and announced their intention to "withdraw" from the caucus. And they were so well supported that their protest became a serious matter!

We were told that "No party likes to provoke any of its important members into bolting." We were told that finally the bad decision was reconsidered, and reversed; that our clause was left untouched; and that our country has Senators Geo. E. Chamberlain and Harry Lane, of Oregon, to thank for their fearless and determined leadership in *saving the feather millinery clause from annihilation*.

The Senate passed the tariff bill, and on October 4, 1913, it became a law. Ever since that date it has been rigidly enforced.

Very shortly after that, I received a visit from Messrs. A. L. Simon, Geo. Legg, and Jacob de Jong, who came as a committee representing the New York Millinery Importers Board of Trade. They assured us that they loyally accepted the decision of Congress, that they would thoroughly live up to it, and that they would firmly discourage all inclinations to evade the law. Nothing could have been finer. And they represented 95 per cent. of the feather millinery importers of the United States.

That declaration was scrupulously carried out. Importers in possession of "paradise plumes" were urged (by the Board of Trade) to dispose of them as quickly as possible, to "avoid the appearance of evil," and protect the good name of the trade.

We, on our side, assured the delegation that we had no desire to see any unnecessary hardships inflicted upon them in determining what feathers that they might and might not import and sell within the law. I drew up a list of all the kinds of feathers that I thought the tariff act should permit, and gave it to them to place before the Collector of Customs at New York. Presently it turned out that the Collector of Customs fell into the habit of referring to us, for advice, all questions in dispute; and we did our best to play fair.

In rather quick time, Canada enacted into law a duplicate of our tariff clause, the Straits Settlements did likewise, and Australia passed a law very similar to ours. After a long and hard struggle the British Parliament was persuaded, by the tireless Royal Society for the Protection of Birds to pass the best prohibitory law that it was within the power of men and women to secure from that very obstinate body. But no one interfered with the trade in the feathers of domestic birds, or ostriches, or rheas reared in captivity for commercial purposes.

But, alas! The heavy hand of that hussy Fashion presently was laid upon the ostrich feather industry of the world. The fashion hounds of Paris decreed that such "cheap" and "common" feathers as ostrich plumes must no longer be put upon the garments and headgear of smart set people. The most beautiful of all feathers for feminine wear went into the discard, by the whim of the fashion tyrants of Paris, and the ostrich farmers were ruined, en masse. Today, I am told that even in the countries of Europe wherein no anti-plumage laws exist, the use of wild birds' plumage in millinery does not amount to shucks.

## CHAPTER XXIV

### HOW HOLLAND ROSE TO AN OCCASION

#### A "PARADISE PLUME" STORY

In war, some great generals at the heads of armies of fighting men are glad to be guided on their way to battle territory by humble civilian rustics who are loyal, and know the terrain. Many a peasant in wooden shoes has shown the road to victory. In civil life, also, that sometimes occurs, but in both fields of endeavor the rustic guide gets few bouquets.

During my 32 years of rough-and-tumble conflict for the rights of wild life, I have had my share of real fighting; but I have also enjoyed some delightful episodes yielding big results in quick time with only a moderate amount of effort. One of the most delightful of my experiences was with a nation far from my sphere of influence, and from which I had no call to expect anything. That nation was Holland; and the scenario of our play reached from Amsterdam to the huge archipelago on the other side of the world, officially known as the Dutch East Indies.

In 1902, when the New York Zoological Society was young, I went to Amsterdam to inspect and study the great and admirable Zoological Garden of that city. Dr. C. Kerbert, its director, was very kind and hospitable, and we became friends for the rest of our lives. About 1904 the Royal Zoological Society ("Natura, Artis, Magistra"), of Holland, generously elected me an honorary member; and that gratifying item of history presently became of practical value.

It is quite possible that this occurrence should not be vaingloriously related by the party of the second part; but facts are facts, so why smother a nice little bit of history when there is such a wealth of modesty elsewhere scattered about this self-effacing world, and there is no one else to tell it? My friends will not object, and for my enemies I do not care.

The American campaign for the stoppage of the importation of the plumage of the birds of the world into the United States came to a victorious finish in July, 1913, in the Wilson Tariff Act. In due course of time, though not in that year, Canada, England, the Straits Settlements, and Australia handsomely extended the victory.

In October, 1913, the desirability of attacking the bird-of-paradise plume industry at its source, in New Guinea and the Aru Islands, became strongly evident. The "Paradise plume," then eagerly sought in all civilized lands except the United States, seemed likely to exterminate some of the most beautiful birds of the world. Holland, a wild-life-loving nation, held the key to the Paradise situation. *If Holland would stop the commercial killing of birds of paradise, the lid would be on!*

I resolved to make an appeal to my zoological colleagues in Holland, for an effort *on their part* to bring about the result that the logic of the situation so loudly demanded. Using my honorary membership in the Royal Zoological Society for all that it was worth, and more, I wrought out the best address that I could compose. The real title of the Society is

“Koninklijk Zoologisch Genootschap, Natura, Artis, Magistra.” Her Majesty, Queen Wilhelmina, was the Patroness of the Society.

While I am little disposed to the printing of letters in books, in this case I cannot possibly do better than to call forth a few letters which tell the story in the language of the campaign. In preparing my appeal, I had sufficient intelligence to obtain its translation into the best Dutch that was procurable for \$15. The following is the homemade version; and I offer it to show other civilians how large-minded people sometimes receive a good idea from a humble source, quickly act upon it, and take no pains to conceal the initiative. This is a part of the “memorial” that I submitted to the people of Holland:

To the Honorable

Koninklijk Zoologisch Genootschap,  
of Holland.

Gentlemen:

Before me at this moment lie two important documents.

One is a report of the sales of wild birds' plumage in the London feather market during the first nine months of 1912. It reveals terrible slaughter of birds, for gain and vanity.

The other is a map showing the great overseas empire of the Netherlands in the Malay Archipelago, stretching from Achin in northern Sumatra to the 141st meridian of east longitude crossing central New Guinea. It includes Sumatra, Java, Celebes, Ceram, the major portions of Borneo and New Guinea, and an innumerable array of smaller islands. Measured in a straight line east and west, that island empire is 3150 miles long, with an approximate width from north to south of 1000 miles.

At this moment the agents of the feather trade are combing out of that vast region its choicest birds, for sale in Europe for commercial purposes. Your richest zoological resources in the Far East are being sacrificed to greed and vanity, to the loss of the people of your nation. You are being robbed of your great crown pigeons, your marvelous birds of paradise and many other species of valuable birds—and for what? For pittances paid in the forests to your wild natives, who toil and despoil your islands of their zoological riches, in order that the feather merchants and milliners of Paris, London and Berlin may grow rich. Ask yourselves how much your Aru islanders and Papuans receive for the skins of the greater bird of paradise that have been selling in America at prices ranging from 100 guilders to 300 guilders each!

In behalf of the birds of your East Indian possessions, I, an honorary member of your distinguished body, appeal to the Koninklijk Zoologisch Genootschap of Amsterdam to take up this cause, and memorialize the Government of the Netherlands to issue a decree *forbidding all exportations of wild birds' plumage*, skins, parts of skins, heads, tails and quills from any and all the islands of the Dutch Possessions in the Far East, except for educational uses.

I urge you to arouse the people of Holland on this subject, and compel them to realize the danger that threatens their most beautiful tropical birds. I ask you to warn them that if they wait for the feather trade to be prohibited throughout England, France and Germany, as it is now prohibited in the United States, long before that end can be accomplished their finest species of birds of paradise, the crown pigeons and possibly other species, also, will be exterminated by the agents of the cruel and rapacious feather trades. On the other hand, immediate action of the kind that I have suggested assuredly would save your birds, for the legitimate benefit of the people of today, and the generations of the future.

Respectfully submitted,

WILLIAM T. HORNADAY,  
*Honorary Member.*

New York, October 25, 1913.

Promptly and decisively came the following answer, from Dr. Kerbert. The response to the appeal had been actually instantaneous. In America, in England, and in France, it was inspiring. All campaigners for causes will know without mere words what this flying start meant to us:

Amsterdam, November 14th, 1913.

To William T. Hornaday, Sc.D.,

Director of the New York Zoological Park,  
185th Street and Southern Boulevard, New York.

My dear Colleague:

We have received your letter and enclosed memorial of October 25th about the destruction of valuable and beautiful wild birds for the millinery trade, and take pleasure in informing you that we fully agree with you on this point.

We were already working in this direction with Dr. Koningsberger, director of the Botanical Gardens at Buitenzorg (Java), and will try to secure his interest, when he will pay his intended visit to Holland in the beginning of the next year.

As we read in the foreword of your interesting book about our vanishing wild life, this great battle for preservation and conservation cannot be won by gentle tones, nor by appeals to the aesthetic instincts, but it is necessary to establish the law. And therefore I am glad to say that last Monday after reading your memorial to the Board of our Society, a Commission was formed whose work it will be to start the movement, and I am sure this Commission, of which Prof. Max Weber and I have the pleasure to be members, will do its utmost to secure the passage of a law for bird-protection in our Colonies.

With kind regards,

Yours faithfully,

C. KERBERT, *Director*.

For almost a year the horrors of war interfered to delay final action upon the paradise plume issue.

Amsterdam, August 12th, 1914.

Dear Mr. Hornaday:

In consequence of the war of the day, the fight to preserve the birds of our colonies has retired to the background; but I am glad to inform you that Dr. J. C. Koningsberger, the adviser of our government in the Dutch East Indies, has arrived in Holland, and that after a conference held with him we are convinced of his taking a serious and active interest in our protection work.

Thus far we may consider our affairs as being in a favorable state, but to get any further results we are constrained to wait till Dr. J. C. Koningsberger has returned to Buitenzorg, which return under the present conditions may not come off before the end of the year, the crossing by mail taking a fortnight more than under ordinary circumstances.

Moreover, as to the telegraph office, we are totally dependent on England; the Dutch-German Telegraph Company for our Indies having stopped the business.

What will Japan do?

With kind regards, and collegial greetings,

Yours sincerely,

C. KERBERT, *Director*.

P. S. Japan has already declared war on Germany. Is the American Asiatic fleet in South East Asia?

It is gratifying to observe that the outbreak of the great war, which preceded the above letter by only eight days, did not destroy, nor even seriously delay, the intentions of the Government of the Netherlands respecting the plumage birds of the Dutch East Indies. In view of the fact that a considerable body of native hunters and their dependents had been devoting all their activities to the pursuit of plumage birds, fears were entertained that a too sudden and sweeping end of their occupation might cause actual suffering. Because of this prospect, the actual ending of the "paradise" hunting industry was slightly postponed, to afford time for a new industrial adjustment.

Amsterdam, July 12th, 1915.

To William T. Hornaday, Esq.,  
New York.

Dear Sir:

We are pleased to be able to inform you that the Committee for the advancement of a prohibition of export of birds and parts of birds from Dutch colonies has received from the corresponding member of the Committee, Dr. J. C. Koningsberger, Director of "'s Lands Plantentuin" at Buitenzorg, Java, the following information about the shooting of birds of paradise.

1. This year (and probably also in future) the shooting is limited to the following species: *Paradisea minor*, *Seleucides nigricans* and *Ptilornis magnificus*. The export of skins of all other species is prohibited by the Dutch Colonial Government, and these skins have therefore no commercial value.

2. Shooting is *totally* prohibited in the Islands of the "Radja-Ampat" group (Misole, Salawatti, Batanta, Waigeu), and in those of the Geelvink Bay in New Guinea, as well as in two large reservations on New Guinea, on both sides of the Geelvink Bay.

By these means the protection of the rarer birds of paradise is obtained, and we have every hope that in future the shooting of all birds of paradise will be *totally stopped*.

We are convinced that you will be interested to hear this good news and I remain,

Sincerely yours,

C. KERBERT, *Chairman*.

LT. DE BEAUFORT, *Secretary*.

Three years later (1918), our esteemed and helpful friend, Mr. P. G. Van Tienhoven, of Amsterdam, paid an ornithological visit to the Dutch East Indies, and became thoroughly acquainted with all of the measures adopted by the Netherlands Government to ameliorate the condition of her endangered birds. He revealed to us the welcome fact that Holland had created two important bird *sanctuaries* to insure the perfect preservation of Holland's Birds of Paradise. The following statement by Mr. Van Tienhoven admirably completes the record of the sweeping reforms carried out in the Dutch East Indian Archipelago by the Government and people of Holland:

Amsterdam, April 24th, 1918.

Dear Dr. Hornaday:

In pleasant remembrance of our meeting in New York, I now take pleasure in giving you a statement of conditions as I found them on my trip through the East Indies, concerning the shooting of and the trade in Paradise birds, and also the suggestions made by me to our Government.

In the first place, I ascertained that our Colonial Government is quite aware of the necessity for the prevention of bird destruction; and that during the last few years several important measures have been taken to preserve the different kinds. Drastic measures adopted at once would cause serious economic difficulties. The wild tribes in New Guinea (the Papuans), in their present primitive state of development, to a large extent earn their living through the plumage trade, and a general prohibition of shooting would suddenly deprive the aborigines of one of the most important sources of their subsistence. Therefore, the Government, although complete preservation of the birds is aimed at, must go step by step in the direction of prohibition, and is endeavoring to lead the natives gradually into other occupations for the earning of their livelihood.

Moreover, a great number of well-informed men are convinced that the *Paradisaea papuana*—by far the most important bird of the plumage trade—is not at all on the verge of extermination, and still is to be found in the immense country of New Guinea in fairly abundant numbers.

The measures already adopted by our Colonial Government for the preservation of the wild birds of our East Indian possessions are as follows:

1. The creation of reservations, or sanctuaries, especially for the paradise birds, where no shooting is allowed. These are located as follows: (See black-line enclosures on map.)

- a. In the Schouten Islands and the group of the Japen Islands (Waigeo, etc.).
- b. In the isles belonging to the Radja Ampat group.
- c. In two parts of New Guinea; one at the northwest coast of Geelvink Bay, near the mouth of the Moebrabi River, and the other between the Wapoga and Mamberano River, indicated in ink on the enclosed map.

2. In forbidding, for an indefinite time, or for some years, the shooting of the rare species, such as the *rubra*, *apoda*, etc.

3. In restricting the yearly time of shooting. In 1918 the time for shooting is open from April to October, whilst the shooting of the gouras or crowned pigeons—which, in my opinion, are more in danger than the paradise birds—is limited to four months, from April to August.

4. Finally, every gun must have a license; and the intention of the Government is to increase the number of allowed licenses and to increase the price of each.

When I returned to Java from my trip through the Molucas I had the pleasure of talking over with our Government the matter of protection, and I made the suggestion to include with the absolutely protected birds all those which are sold for a low price, notably the *Seleucidés alba*, *Lophorhina atra*, *Epinachus magnus* and *magnificus*, *Parotia scipennis*, etc. This suggestion will be taken into serious consideration.

Faithfully yours,

P. G. VAN TIENHOVEN.

## CHAPTER XXV

### BIRTH OF ELK RIVER AND SNOW CREEK SANCTUARIES

Although I have not seen all of the state and federal big-game preserves in the United States and Canada, and do not know "all" about them, from what I do know I believe that, taking it mile for mile and mountain for mountain, the Elk River Game Preserve of southeastern British Columbia is the most picturesque and beautiful, and most abundantly stocked with big game, of them all!

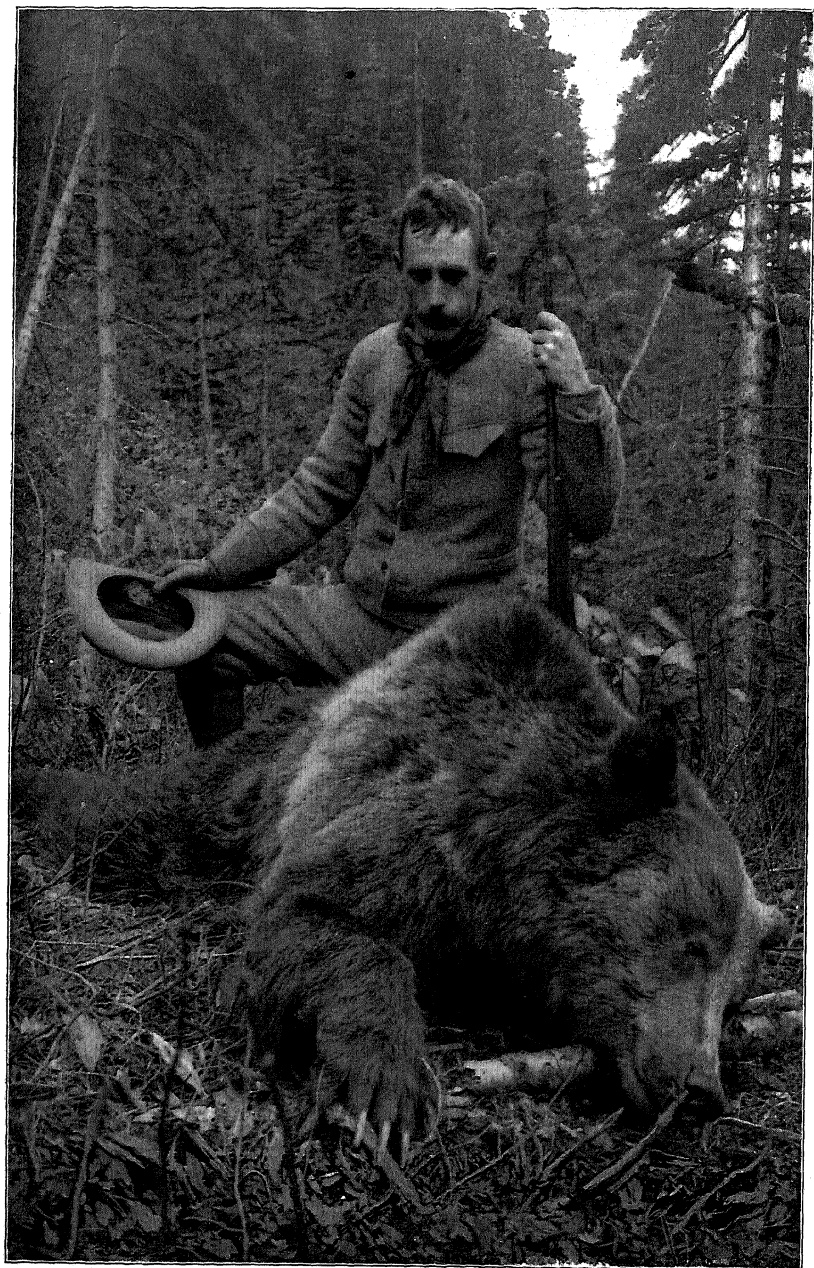
In October, 1905, Mr. John M. Phillips and I came out from a memorable hunting expedition in the mountains between the Elk and Bull Rivers of the southeastern corner of "the Kootenay Country." We spent a night in Fernie, and attended a special meeting of the Fernie District Game Protective Association. Attorney H. W. Herchmer was president. We freely criticized the British Columbia game laws on the ground that 3 male caribou, 3 male goats, 1 sheep of each species, 3 deer, 1 grizzly bear would be quite enough of big game for any one hunter to kill in one year, instead of double these numbers. The existing limits we regarded as 40 per cent. too high, and we urged that they be reduced. We did not kill our "limits." Then Mr. Phillips made a speech declaring and proposing that the country between the Elk and Bull Rivers should be set aside at once as a provincial game preserve, and that no more hunting be permitted within it. The members of the Association agreed that such a preserve would be a good thing to establish, before all the big game in it had been killed off.

Then Mr. Phillips and I took our five living mountain goat kids from James White at Fort Steele, and went home. And those kids prospered mightily; and some multiplied and replenished our Zoological Park herd.

In December, 1906, we wrote to Hon. William R. Ross, M. P. for Fernie, inquiring what steps had been taken during that year toward the proposed game preserve. Mr. Ross replied that he had, on a number of occasions, laid before the Provincial Secretary the question of such a game and forest preserve. "So far," said he, "no result has been reached with regard to the matter, but I am convinced that if the same was brought to his attention by a well-known authority, this circumstance would go a long way toward making the minister appreciate the importance to this Province of the move which you recommend."

On December 12, we also wrote to Premier McBride, a letter designed to ascertain whether overtures from Americans in behalf of the preserve idea would be acceptable. The reply was prompt, friendly toward the preserve-making principle, and distinctly encouraging. But for that friendliness, we could not have carried on. From the beginning the Provincial Game Warden, Mr. A. Bryan Williams, was heartily in favor of the preserve-making idea, and from first to last did his utmost to advance that cause. And so from first to last was the undertaking supported and pushed by Mr. J. S. Dennis, Assistant to the Vice-President of the Canadian Pacific Railway, at Vancouver, whose letters reflected great





JOHN M. PHILLIPS AND HIS LAST SILVERTIP GRIZZLY  
His initiative for the Elk River game sanctuary was taken one week later.  
From "Camp-Fires in the Canadian Rockies," (*Scribner's*).

official sympathy toward game and forest preserves, in general and detail.

A chance complaint about funds for publicity brought from a most unexpected quarter some help that was both unique and welcome. A young lady of New York, Miss Johanna Kroeber, took into her wise head the idea of raising \$100, in aid of the publicity for the Elk River Game Preserve campaign! In February, 1907, she secured from five friends—Henry Goldman, L. Heinsheimer, Mrs. Ida Small, Miss Small and herself—a total of \$100 in real money, and joyously gave it to us as a grant in aid. We spent every dollar of it in getting publicity; and eventually I think we got for Miss Kroeber her money's worth. . . . Soon after the victory of the Elk River Preserve, Miss Kroeber was happily married! And the joke of all this is that it is no joke at all, but serious history, with a moral quite obvious to all unmarried girls.

During the year 1907, Mr. Phillips and I wrought frantically, by correspondence, to keep our ideal preserve site from being totally destroyed in favor of a wild new scheme of the Fernie Game Protective Association. Our side was espoused and promoted by Mayor W. W. Tuttle, J. B. Turney, Hon. W. R. Ross, of Fernie, the *Victoria Colonist*, and the two famous sportsmen-explorers of British Columbia, Warburton Pike and Clive Phillips-Woolley. In that squabble the Provincial Game Warden, Mr. Williams, could not openly take either side, but he wrought to the utmost for a big game preserve, a tax on guns, and lower bag limits.

Slowly but steadily our cause gained support, solely by the superior reasonableness of it. Our circular of February 12, 1908 was very helpful. The letter of Fernie's Mayor, W. W. Tuttle, of March 30 to Mr. Phillips announced that our side had won. The opposition had offered to make terms that we could accept. We agreed that our site should be shoved straight north, bodily, for about 20 miles above our proposed southern boundary but no farther; which was done, and the dove of peace then built her nest on Phillips' Peak.

On November 15, 1908, the Legislative Council of British Columbia issued a proclamation which created an absolute and inviolable game preserve, of about 450 square miles of territory, between the Elk and Bull Rivers, and around Munro Lake. With a subtraction on the south end and an addition on the northwest, it is otherwise like the "Goat Mountain Park" for which Mr. Phillips and I wrought and fought for two years. Today, there probably are not ten men in all Canada who remember that we ever had anything to do with it save to hunt billy goats and grizzly bears upon it about 25 years ago, and put them into a book.

When the Elk River Preserve was created in 1908, it was estimated by those most closely connected with it that it contained about 1000 white mountain goats, 200 sheep, a *very few* elk and deer, no moose, and about 50 grizzly bears.

After a lapse of 22 years it is now profoundly gratifying to receive from Provincial Game Commissioner A. Bryan Williams, of Vancouver, British Columbia, the assurance that the Elk River Game Preserve has achieved notable success in bringing back big game of all the species within its influence. A communication from Commissioner Williams dated September 3, 1930 tells today's story as follows:

"For the greater part of the time that the Preserve has been established, the laws with regard to it have been fairly well enforced, and for the last year or two I may say extremely well enforced. The result has been wonderful. Just to give you some idea of what has been done, I may tell you that at the time of the establishment of the Preserve the Cranbrook Indians were extremely hostile over it, and threatened reprisals. They were so irate that I was sent for to explain the whole matter to them and it took a whole day's discussion with their Chief to bring them around to a fitting state of mind. Last winter when I was up in Cranbrook, one of the Chiefs who was present at that meeting heard that I was there, and he sent me word that the work I had done in forming that Preserve was a good piece of work, and that *now the Indians had no trouble in getting game outside the Preserve where formerly there had been none.*

"Now with regard to the game there. This year we are having an open season (outside the Reserve) of one month on wapiti, instead of a fortnight as formerly. These animals are spreading all over the country, and a number of them are now out in the Cranbrook District, where they were never heard of before. The sheep have increased splendidly. My Game Warden at Cranbrook tells me that he could take me out from Cranbrook and show me a bunch of thirty or forty ewes, and another big bunch of rams on one particular mountain, and get me back in the same day. There were no sheep on this mountain when the Reserve was formed.

"Up the Elk River there are three or four times as many sheep as there were when I first went there. I believe I could go up almost any of the creeks that were almost denuded of sheep (of course, I mean outside of the Reserve) and get a good ram in a few days. There are also quite a number of mule deer on the Reserve and I believe there are a few white-tailed deer. In addition, there are quite a number of moose, while bears are in evidence everywhere.

"I believe that this Reserve is the finest all-round piece of game country on the whole of the Continent. I do not think there is any other place where we have the same variety of game, or such numbers of it. However, I may say that I am not satisfied with the status of this Reserve, and I have already taken the matter up with the Attorney General with a view to having it made into a Public Park, so that it could only be cancelled by Act of Legislature.

"I will add that the area covered by this Reserve has not been diminished."

#### *Montana's Snow Creek Antelope Preserve.*

In 1902 two of my old friends of Miles City, Montana, decided that we must have one more bad lands hunting trip together, to visit a wild spot and see what remained of buffalo-range game after a lapse of sixteen years. One of those old-timers was Mr. Laton A. Huffman, western pioneer photographer and sportsman, dating back to the buffalo days, and still living in Miles City, as one of the Last of the Plainsmen. His camera, wet plates and dry plates had recorded the earliest and best pictorial history of the Montana-Wyoming cattle country, the bad lands, and the wild life. Today, no gathering of Old-Timers in the short-grass country is

at all complete without "Huffman"; and as a comrade on the trail and in camp, there is no one more interesting or lovable.

The other old-timer was my own original buffalo hunter of 1886, James McNaney, who for three months in the Big Dry bad lands, in the fall and winter of 1886, helped to promote my expedition when we strove mightily to find and collect a good series of fresh buffalo skins for "the Smithsonian," at Washington.

In 1902 we went hunting to a new country, northward, in "the breaks of the Missouri," called "the Hell Creek country," because of its weird and awesome character. None of us ever had been there, and we got lost immediately after crossing the Big Dry and leaving the four-cabin town of Jerdon (now a City!). Blundering on, guided only by animal instinct, we were led by the hand of fate over the best overland route, to the very bull's-eye of our hearts' desire. It was a land of weird and awesome character.

We immediately discovered that it was a great country for big fossils, and promptly "the Hell Creek beds" of carnivorous and other dinosaurs were put permanently on the map of The-Dead-and-Gone. The wild and picturesque valleys of Hell Creek and Snow Creek then contained in their labyrinth of canyons and castellations a fair supply of mule deer, prong-horned antelope, and one little band of mountain sheep that was immune from all attacks. The high mesas above the canyons were covered with a rich crop of unchewed prairie grasses a foot high; and on it all there was not a hoof of cattle or sheep. What conclusion could be more logical or appropriate than an antelope preserve?

During the years coming down to 1910 the fantastic canyons and grass-covered mesas of Hell Creek and Snow Creek had lain in our minds as a charming memory with game-preserve possibilities. At last the time came when people and states began to look about for suitable wild spots that could and should be converted into game sanctuaries. The game-preserve bug bit us severely, and eventually made us plenty of trouble.

The time came when it seemed necessary to convert the Snow Creek country into a public asset of that kind. I consulted with Mr. Huffman and his son-in-law, W. R. Felton, a civil engineer of the Burlington System, and we agreed that a Snow Creek Antelope Preserve must be made, and that it must be done at once. We figured that a tract of about 100 square miles would meet the reasonable requirements of the case, taking in, for the sheltering of game, all of the lower 14 miles of the Snow Creek and Hell Creek bad lands, with an encircling arm of grass-covered mesa, to furnish perpetual grazing grounds of fine quality. Small breeding stocks of antelope and mule deer were already there, and mountain sheep and bison could be added. The base of the range was to be the south bank of the Missouri River, 12 miles distant from the southern rim of the bad lands.

At first I advocated a federal foundation and federal control, because I wished to see a lot of wire fence somewhere in that cosmos, and I feared that the state never would stand for the expense of it. We had an enabling bill introduced in the United States Senate, and I tried to get a place for it in the sun. But right there the lobbyist of the Montana Woolgrowers'

Association stepped in, with a polite but firm "NO!" The sheep men would not stand for it. Their agent said: "The place for wild animals is in the zoos, where people can see them." And very soon it became perfectly evident that the Woolgrowers' Association was the absolute master of that situation.

While I was struggling to recover from that cruel blow, Mr. Huffman was elected to the Montana Legislature. Fine! At an early opportunity the case was put by Mr. Huffman before Governor Edwin L. Norris. The Governor said: "The State of Montana will make that country into a state antelope preserve!"

State Senator McCone quickly became actively interested in the matter, and was tremendously helpful. The wheels moved rapidly, and never skipped a cog. Between Governor Norris, Senator McCone, Representative Huffman, and Engineer Felton, the range was formally proposed on January 12, 1911, and it was rushed through and actually *made* by the Legislature of Montana on March 6, 1911! The celerity of it was surpassed only by the lightning swiftness of the birth of the Mt. Olympus National Monument, in Washington, which was made by President Roosevelt, Dr. T. S. Palmer, and their helpful friends, in the *last hours* of the Roosevelt Administration.

The few ranchmen living in the Snow Creek country cordially welcomed the new sanctuary, and loyally cooperated in the protection of its wild animals. A state warden, named Charles Meyers, was appointed to protect the preserve, and for years the antelope and deer were encouraged to live there and increase. The stock of antelope did increase to nearly 100 head, but eventually, like the last heath hens of Martha's Vineyard, they took it into their heads to go elsewhere. They have migrated eastward, to lands and ranches that seemed to them more satisfactory.

For the benefit of this history, T. N. Marlowe, Montana State Game Commissioner, has recently caused an inspection of the whole antelope situation around the Snow Creek Preserve to be made by a game warden, who reported the following facts and conditions:

At present there are no antelope in the preserve. The last herd seen there was in 1929. The antelope of that region have gone to the Big Dry Creek country. Mrs. Herbert Holland, who lives east of the preserve, about 20 miles north of Jerdon, reports that bands of from 16 to 62 antelope have for some time made free with their ranch, and have done some damage to growing crops. A similar report is made by E. N. Vance, for a neighboring ranch. He states that there are many small bunches of antelope east of the Snow Creek Preserve, and that occasionally he has found the remains of antelopes that have been shot. Mr. Vance and the Hollands are protectors of the antelope, and "like to have them around."

It is unfortunate that the best feeding-grounds of the Snow Creek Preserve have not been fenced; but the range is there; its title is in the State of Montana, and beyond reasonable doubt the time will come ere long when the state will feel ready to develop that bit of grassland and scenic wonderland into a well-stocked and useful big-game preserve. The Jerdon Chamber of Commerce should now take up this matter, and pursue it.

## CHAPTER XXVI

### NATIONAL FOREST GAME PRESERVE CAMPAIGN

*"All hits are history, all misses mystery!"*

This is a story showing how a great and desirable conservation object, prosecuted with unflagging industry for many wearisome months and backed by 100 per cent. of public and private support, was asphyxiated in what should have been its hour of triumph by the active hostility of two men, plus the apathy of a few others. As I look back upon the disgusting fate of our campaign for big game sanctuaries in national forests, I wonder why it did not turn me against conservation causes for all subsequent time. But my defeat has been partly compensated by the march of Time, and the logic of human events.

I know not who first thought of, or first proposed, the making of many federal big game sanctuaries in National forests, for wild life of all kinds, but especially for the so-called "big game." It was the Boone and Crockett Club that first labored for an adequate enabling act of Congress, but the lack of response, and the supply of obstacles, led the Club to abandon the effort in 1913.

In 1915 it seemed to me that the time was ripe for the making of a new effort, on lines that might avoid some of the obstacles that the Boone and Crockett Club had encountered. I thought we saw a way to convince the sheep and cattle growers of the national-forest states that the game preserves we desired for big game would not be as objectionable as they thought, and that it would be possible to give both their herds and the game a satisfactory deal. As an evidence of the good relations that we established with the stock-growers of the nine most westerly states, I will cite the five resolutions of endorsement that were adopted and published widely by the New Mexico Woolgrowers' Association in 1915. It appears in "The Statement of the Permanent Fund, Vol. III," p. 80. It shows that our optimistic hope was fully realized; and that with the strangling of the Chamberlain-Hayden bill the cattle and sheep men had nothing whatever to do. In fact, a goodly number of them formally endorsed our bill!

Inasmuch as the idea was of eastern origin, and the people of the West as a whole knew nothing about it, I resolved to make a supreme sacrifice. I resolved to add to my printed propaganda an illustrated lecture tour throughout the western third of the United States, meet the men of the West face to face, tell them all about our idea, and then ask them this plain question:

"Now, are you *in favor* of big game sanctuaries in National forests, or *not*? Do you want them, or *not*? If you say that you do not care for them, then I am through, and I will go back whence I came."

Before asking for the drafting and introduction of a bill, I resolved to submit a working plan, and call for a show of hands regarding it. If



WILD MOUNTAIN SHEEP IN A SANCTUARY  
Rocky Mountains Park, Banff, Alberta.

the results were good, then we would help to draft a Congressional bill, and ask Congress to pass it. Most carefully I laid out a long circular tour of meetings and addresses, and made a string of dates. In the heat of August, 1915, I started westward for a task that called for much expense and \$10,000 worth of personal effort on my part. I lectured, and did publicity work with various institutions, organizations and newspapers in Minnesota, Colorado, Wyoming, Utah, Montana, Idaho, Washington, Oregon, California, Arizona, and New Mexico.

The response was glorious—everything that heart could wish! Never will I forget the fine spirit of hospitality and cooperation that I met in the 21 cities that I visited, for the delivery (25 times) of my handsomely-illustrated lecture on "The Extermination and Preservation of Wild Life." But for the fact that in Bulletins 1 and 2 of the Permanent Fund (see the Statement, Vol. II) I have published pages and pages of names, and my acknowledgements, I would need to print them here. But my allies already are permanently on record. My most delightful memories recall the great educational institutions that staged my efforts, and particularly the State Universities of Washington, California, New Mexico, and Arizona, the Colorado Museum of Natural History at Denver, and the State Normal School of Los Angeles. Twenty-nine of the largest and best newspapers of the nine states visited, and five state Governors who happened to be at home, gave our cause their cordial endorsements. There was *not one voice* raised in criticism or objection to the "plan"!

The names of the leading individuals of the nine states concerned who signed their names in approval of the Plan fill many pages of print, and it is impossible to repeat them here.

On January 4, 1916, Senator Geo. E. Chamberlain, of Oregon, and Representative Carl Hayden, of Arizona, introduced in their respective Houses the Chamberlain-Hayden bill (S. 3044 and H. R. 6881). Without the formality of a "hearing" it was placed upon the Senate calendar on March 15. Twenty-two Senators declared in writing their approval of the bill, and their intention to support it.

Never in the history of wild life legislation in America (so far as I am aware) did any constructive conservation measure go before Congress with a greater array of well-declared official and popular support than did that bill. It was endorsed in writing by governors, high state officers, judges, newspapers, magazines, and organizations of a dozen different kinds. Moreover, the indications were that majorities in both Houses of Congress, regardless of party lines, absolutely approved it, and stood ready to vote it into law. Never was any other wild life sanctuary measure proposed that would cost so little, and yield so much.

Under the unfortunate rules of the Senate which had prevailed for a century, it was possible for a single Senator to, by a single "objection" relegate to the rear end of the line any "unanimous consent" bill! And it was terribly difficult to get a vote in any other way. It was through that unfortunate relic of the past, now happily ended by the cloture rule of March, 1917, that two Senators were able to prevent a vote on the big-game refuge bill.



Senator Reed Smoot, of Utah, was then occupying the position of Republican leader of the Senate, and ruling with a rod of iron. He hated the bill, because he believed that "Utah could take care of her own game." As matters stood, Senator Chamberlain sought to have his bill come up "by unanimous consent, under Rule 8." On April 20, Senator Smoot began by saying "I object"; and the bill went over. He said "I object" on June 3, Dec. 15, Jan. 25, 1917, and Feb. 2; and on March 4, Congress adjourned.

Meanwhile, the House held a hearing on the bill. Representative Mondell, the enemy of nearly all conservation measures, vigorously fought it. The Committee reported the bill to the House, placed it on the calendar, and the leaders of the House decided to pass it. Its one and only chance for a vote came on a "calendar Wednesday" afternoon. The leaders sat in the House for two hours waiting for it to be called up, and an old farmer talked away all our time and opportunity on a *hog-cholera bill*! We sat in the gallery and saw our last chance go glimmering into the discard.

In the next Congress, Senator Knute Nelson kindly reintroduced our bill; but nobody in the Senate worked for it; and then I said good-bye to it, forever. From first to last, I worked on that bill, like a horse in a treadmill, for two full years, and expended upon it \$3,255.89.

Naturally my disappointment was very great. But Time has brought great Compensations! For reasons best known to themselves, the western states diligently went to work to make *State* game preserves in National Forests. Just how much our campaign influenced that industry, we do not know nor do we care. It does not matter in the least. Today—at this precise page—there came in from the U. S. Forest Service its very complete and admirable annual Statement on the big-game animals in the National forests of the United States, down to December 31, 1929. Is it not in the nature of compensations for 1915-17? We will print a summary of the exhibits.

After all, I suspect that our work for big game sanctuaries in national forests has not been wholly lost. The Federal Government and national-park states are making them, just like shelling peas. Already, they have become so numerous that only the U. S. Forest Service has kept count of them. In 1929, 24 states had a total of 258 state game refuges in national forests, and their total acreage was 19,652,580 acres.

In 1929 the National Forests as a whole contained about

|                            |                       |
|----------------------------|-----------------------|
| 10,219 Antelope            | 802,459 Deer          |
| 50,664 Black or Brown Bear | 82,672 Elk            |
| 3,507 Grizzly Bear         | 5,154 Moose           |
| 20 Caribou                 | 12,328 Mountain Sheep |
|                            | 19,298 Mountain Goats |

It is to be observed that these figures of the U. S. Forest Service cover *only* the wild-animal inhabitants of the *National* Forests, and that there are others elsewhere. The records show that in the National forests during 1929

The antelopes increased by 1,725 head, or 20 per cent.

The black and brown bears decreased 1,567, or 5 per cent.

The grizzly increased about 2 per cent.

The deer increased about 7 per cent.

The elk increased about 6 per cent.

The moose returns from one state are lacking.

The mountain goats have increased about 9 per cent.

The mountain sheep have decreased about 50 per cent. chiefly due to predatory animals and diseases. Only 114 were killed by hunters.

Behold the summary, copied with thanks from the admirable Report of the Joint Committee on Recreational Federal Lands, of President Coolidge's National Conference on Outdoor Recreation. You will find it on pages 123 and 125 of "Recreation Resources of Federal Lands."

#### NATIONAL FOREST GAME REFUGES (FEDERAL)

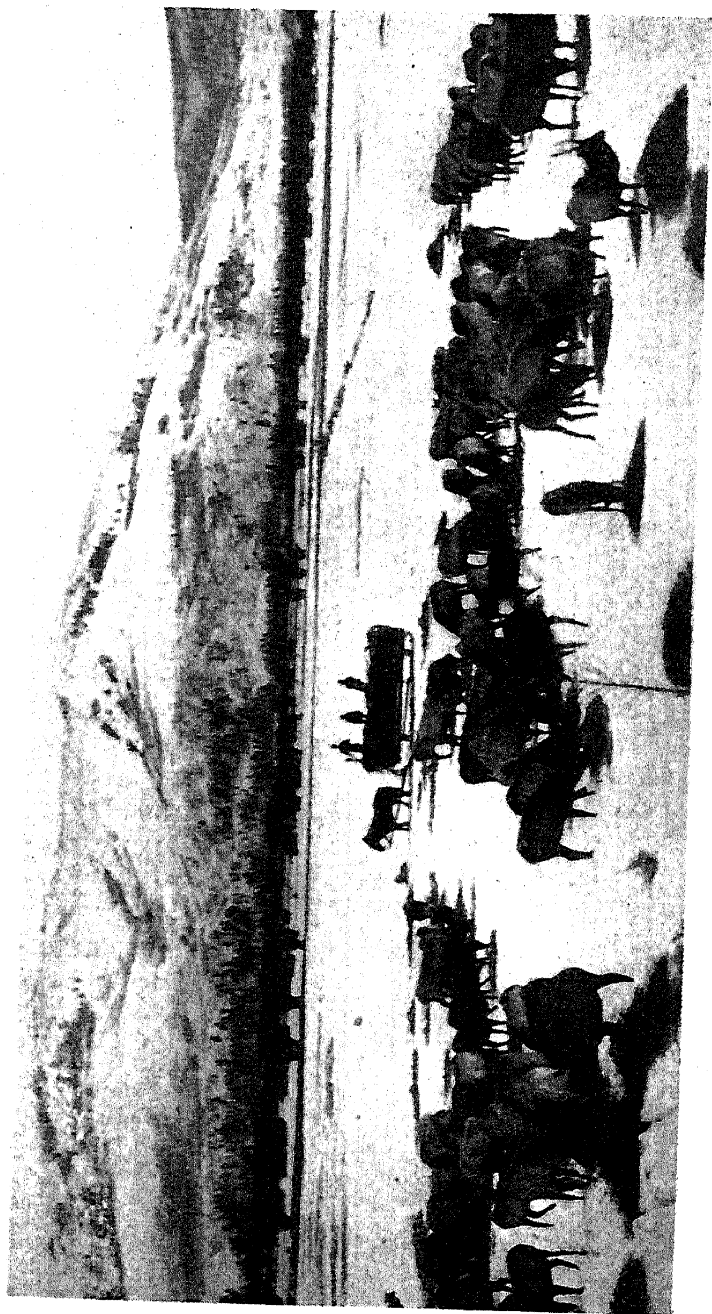
| NAME              | STATE          | AREA    |
|-------------------|----------------|---------|
| Cherokee, No. 1   | Tennessee      | 30,000  |
| Cherokee, No. 2   | Georgia        | 14,000  |
| Custer State Park | South Dakota   | 44,360  |
| Grand Canyon      | Arizona        | 886,208 |
| Ozark National    | Arkansas       | 21,480  |
| Pisgah            | North Carolina | 98,513  |
| Sequoia           | California     | 15,770  |
| Sheep Mountain    | Wyoming        | 28,318  |
| Wichita           | Oklahoma       | 60,800  |
| Black Hills       | South Dakota   | 5,548   |
| Jackson           | South Carolina | 20,225  |
| Lee               | Virginia       | 7,177   |
| Manzano (Zuni)    | New Mexico     | 52,007  |
| Medicine Bow      | Wyoming        | 56,132  |
| Michigan          | Michigan       | 2,680   |
| Tobyhanna         | Pennsylvania   | 20,870  |

#### FEDERAL WILD LIFE REFUGES IN THE UNITED STATES

|                                   | NO. | AREA IN ACRES | DEPARTMENT               |
|-----------------------------------|-----|---------------|--------------------------|
| Independent Wild Life Refuges ..  | 70  | 489,784       | Agriculture              |
| Within National Forests .....     | 12  | 1,999,469     | Agriculture              |
| Within Military National Forests  | 7   | 165,000       | Agriculture<br>and War   |
| *Within National Parks .....      | 19  | 7,562,746     | Interior                 |
| Within National Military Parks .. | 2   | 10,089        | War                      |
| †Within National Monuments ....   | 18  | 471,549       | Agriculture,<br>Interior |
| Within Lighthouse Reservations .. | 6   | 11,550        | Commerce                 |
| Within Naval Reservations .....   | 2   | 13,412        | Navy                     |
| Within Fishery Reservations ....  | 12  | 6,808         | Commerce                 |
| Total .....                       | 148 | 10,730,407    |                          |

\* All national parks are wild life sanctuaries.

† All national monuments are wild life sanctuaries, but of the 54 in the United States not over 18 are estimated to afford the natural conditions of sanctuary.



FEEDING WILD ELK IN JACKSON HOLE

The report from which the above figures were taken contains two paragraphs of great interest regarding the noteworthy kinds of game, both large and small, sheltering in the Federal Refuges. They are as follows:

"Among other large wild animals worthy of note on the national forests are mountain sheep, mountain goats, moose, a few caribou, antelope, and some buffalo. With the exception of the buffalo which are ranged in enclosures on the Wichita National Forest and Game Refuge, the Montana Bison Reserve, and on the Wind Cave National Park, *the other animals are inadequate as stock for the extensive ranges available for their production.*

"There are twelve national game refuges in the national forests comprising 1,199,469 acres and one national monument set aside for game of 299,370 acres. These refuges include the Grand Canyon Game Preserve, Arizona, located to preserve the mule deer of the Kaibab Plateau. There are mountain sheep and grouse in this refuge as well as deer; the Mount Olympus National Monument, in the Olympic National Forest, created to protect the Roosevelt elk. There are deer, bears, and grouse as well as many non-game birds in this refuge; the Wichita National Game Preserve, Oklahoma, has buffalo, elk, deer, antelope, turkeys and quail; the Medicine Bow Game Refuge, Medicine Bow National Forest, located to protect elk, deer and grouse; Cherokee National Game Refuge No. 2, Cherokee National Forest, Georgia, deer, turkey and quail; Cherokee National Game Refuge No. 1, Cherokee National Forest, Tennessee, deer, turkey and quail; Custer State Park Game Sanctuary, Custer National Forest, South Dakota, deer, blue and ruffed grouse; Pisgah Game Preserve, Pisgah National Forest, North Carolina, buffalo, elk, deer, turkeys, quail."

Is it not a fine showing of official conservation endeavor?

## CHAPTER XXVII

### ALASKA'S NEW GAME LAWS

About 1915 many complaints began to be heard from the people of Alaska, and also visitors thereto, about the obsolescence and general deficiencies for that time of the terms of the original Alaskan Game Act of 1902. Much was made of the fact that "the people of Alaska were not satisfied," and "a great deal of game is being slaughtered illegally, because the People do not approve the Law." In many quarters sentiments were registered to the effect that the game of Alaska should be wholly controlled by the people of Alaska—a proposal that "to be hated needs but to be seen."

We had many correspondents in Alaska, and we saw many sportsmen who had been hunting in Alaska.

Nothing happened, however, until 1918. Then one bright morning in February the mail brought to us from Washington a Hearing on "the Sulzer bill" to permit the storage and sale of game throughout the year in all Alaska, "*to help win the WAR!*" A hurried perusal of the contents revealed some startling new facts.

At once I turned to the telephone and in quick succession called up Mr. Madison Grant, Mr. George B. Grinnell and Mr. Charles H. Townsend. To each one I bluntly propounded this question:

**"Are you aware of the fact that mountain sheep, moose and caribou are now being killed in Alaska, in large numbers, to sell to contractors to feed laborers?"**

Each inquiry elicited a surprised and horrified, "No! I have heard nothing about such doings."

And my reply was "I thought not." The news that the bill of Mr. Charles A. Sulzer, Delegate to Congress from Alaska, had been drawn for him in the Biological Survey, and was being backed by Dr. E. W. Nelson and Charles Sheldon, was news indeed. Mr. Thomas W. Riggs, one of the Commissioners of the Alaskan (U. S. Government) Railway, then under construction from Anchorage to Fairbanks, had testified at the Hearing of February 5, 1918 before the House Committee on Territories, that he and his allies had in 1918 fed about 6,000 pounds of big game meat, costing 15 to 25 cents per pound, to their laborers at work on the Railway.

The testimony in the Report of the Hearing of Feb. 5, "revealed that the real purpose of the Sulzer bill was not to feed frontier people who were starving, but to enable the people of the city of Fairbanks and other towns to side-step the beef monopoly by eating moose, sheep and caribou at a price lower than that of monopolistic beef." At that time fresh and good United States beef was selling in Fairbanks at 50 cents per pound—which was the very price that we were paying in New York City. Mr. Sheldon insisted that "The opinion (of the Alaskan people) was so absolutely unanimous that the people were entitled to this relief from the beef monopoly that the officers of the law could not convict anybody for breaking the game laws, and they stopped trying to convict anybody."

Thus, and also in 1926, did Mr. Sheldon record his great fear of people who disapprove laws under which they live.

Without the loss of one hour, we requested of the Chairman of the House Committee on Territories that another Hearing be held, at which the opposition to the Sulzer bill might be heard. This was promptly and cheerfully granted, and the date fixed for it was Feb. 26, 1918. The bill was opposed by the New York Zoological Society, the Permanent Wild Life Protection Fund, the Camp-Fire Club of America, the American Bison Society, the Wilderness Club of Philadelphia, the New Mexico and Albuquerque Game Protective Associations and the Missouri Fish and Game League.

On reaching the Hearing we quickly found that all the members of the House Committee on Territories, and especially its Chairman, Hon. William G. Houston of North Carolina, thoroughly understood the utterly selfish motives underlying the bill. In one hour after the Hearing opened that bill was as dead as Julius Caesar. The Committee promptly buried the remains.

This wretched episode aroused the writer to a realization of the futility of further waiting for the Biological Survey to start an initiative for a new Alaskan game act. The folly of waiting longer was apparent. We resolved to prepare and publish a bulletin that would bring the matter to a head, and on February 6, 1920 P. W. L. P. F. Bulletin No. 6 appeared. Its title was "A New Game Act for Alaska"; and it was illustrated with cuts.

Because it published a lot of cold facts, and a lot of testimony that had been given by exploiters of Alaskan game, to a number of persons it was terribly offensive. Instead of being hailed by Alaskans as the Moses to lead them out of their game difficulties, its author was haled to the pillory that was quickly set up for him by Thomas W. Riggs, Governor of Alaska (and formerly a Railway Commissioner), John W. Troy, editor of the Juneau *Empire*, and others of less renown and bitterness.

From Anchorage to New York "we" were denounced—as being without "influence," and "standing"; as the defender of bad Alaskan brown bears (with insinuations of being a murder-by-proxy of a poor-shot hunter who was killed by a bear), and finally as a man who had confessed "in his works" of having once "killed 26 deer in one day!" Over certain happenings in New York among some of my quondam friends, whom Governor Riggs cordially invited to traduce me all that the traffic would stand, I will kindly draw the veil of Silence. In his attempt to get a rise out of Mr. Edmund Seymour, the Alaskan seeker-after-Truth elicited a testimonial of character that must have been very much undesired by its recipient. But anyhow, that little episode was very illuminating to the party of the second part. And it leads us to say:

"Commend me to that constant friend,  
Who like the pine on high,  
Uplifts the same unvarying brow  
To every change of sky."

For once in my life, I was used for political purposes at the polls. While the Riggs-Troy storm was raging over my head, the best people of Alaska nominated my valued friend Dan A. Sutherland, of Nome, for Territorial Delegate to Congress, on the Republican ticket. It was the year of the Harding presidential election.

Mr. Sutherland was solemnly accused of being my friend. I was accused of being the sponsor of all bad Alaskan brown bears. We both were charged with presumptive collusion—and that if Mr. Sutherland should be elected he would at once throw the virtual control of Alaskan game into my wicked hands. During the last week of the election campaign the oft-repeated slogan of the Juneau *Empire* was: "A vote for Sutherland is a vote for Hornaday and the Alaskan Brown Bears."

Mr. Sutherland was elected, by large majorities; and it was a jolly good thing for Alaska that he was. One of his first official acts was to come to New York for a luncheon conference with the New York conservationists, on the subject of a new game act for Alaska. The Biological Survey was conspicuous by its absence. But when Mr. Sutherland announced his intention to offer Congress a bill for a new game act, Dr. Nelson came to life.

Together Mr. Sutherland and Dr. Nelson composed a bill for a new Act that developed into an admirable new basis. Alaska was divided into five game districts; and five Territorial Game Commissioners were appointed, geographically, to wrestle with Alaska's many and often puzzling game problems. The object was to legislate for the greatest good of the greatest number. The new regulations provided for the best utilization of the game of Alaska for the benefit of the people that is consistent with the maintenance of the supply. The Act has now been in force about six years, and we have heard about it few criticisms.

The present flurry of demand for the "extinction" of the big brown bears of Kadiak Island and other points north—on account of their menace to phantom sheep and cattle herds—is like the breaking out of heat rash on children. It is to be cured with a salve made of equal parts of Truth and Reason. The idea of brown bear "extermination" to save the "cattle industry" of Alaska is not to be taken seriously. Whenever there is a real superabundance of bears near the haunts of men, enough bears should be killed to restore the right balance of power; but as long as Alaska remains Alaska, there will be 10,000 places that, for one reason or another, will be unsafe for men and women who are incapable of self-preservation.

There is such a thing as "the edge of civilization," and the wild beasts of New York and Chicago annually kill and maim about 50 times more innocent people than do all the wild beasts of Alaska.

## CHAPTER XXVIII

### ANTELOPE LOSSES AND SALVAGE

The saving of the beautiful and odd prong-horned antelope from the extinction that savagely threatened it in 1900 is one of the bright spots in the history of movements to salvage North American big game. It is the one conspicuous instance in which state governments, the federal government, several game protective organizations and a host of unseen but powerful "resident" individuals all cooperated firmly, sensibly, and successfully to a single unselfish end.

For once in our lives, we saw in the United States all sorts and conditions of men unitedly in favor of a big game species, and resolved to save it from the extermination that assuredly was about to engulf it in the year 1900. The result was a blessed variation from the infernal and disgusting fighting we have had to do for about every other species that we have tried to salvage since the year 1910.

In pioneer days the pursuit of the prong-horn was "good hunting." In the fall and early winter its flesh was mighty good eating, and the head of an old buck was a trophy not to be despised. But this antelope is not a hardy perennial. Sometimes it perishes in blizzards. Its mothers can not save their fawns from the jaws of hungry coyotes. The prong-horn can not live inside of fences that he can see. The sight of wire makes him sick, and the rainfall of the Atlantic Coast kills him. Beside the indestructible white-tailed deer, the bold and tough Barbary mountain sheep, the crag-defying tahr goat and the surging elk, the prong-horn has only the stamina of a pet monkey. But he is graceful, very fleet, a zoological curiosity, and desirable to the American people.

The original "saving" of the prong-horned antelope was an achievement of the antelope-inhabited states, with only a slight urge from without, and 90 per cent. due to their own sensible and humane initiative. I think there was some state pride about keeping free from the odium of a senseless extermination of a great zoological oddity.

Its physical peculiarities are no dew-claws; hollow horns growing over bony cores; a great patch of long and white rump hair that is erectile at will when the animal is alarmed or fighting. For a mile or more a speedy antelope can run at the rate of 56 miles per hour! The one bad trait of this animal is that it cannot become really acclimatized anywhere east of the great plains, and carry on for years. In captivity on the Atlantic Coast it develops a line of diseases that is bewildering. In view of the impossibility of perpetuating the prong-horn by ordinary breeding in confinement, it long ago became apparent that it must be saved on its home ranges, in a state of semi-freedom, or perish and disappear.

California was the first state to stake out a farseeing and resolute policy in protecting valuable species of big game against the possibilities of extinction. It was in 1883 that California enacted a sweeping law giving perpetual close seasons to all her elk, antelope, mountain sheep and female deer. To those desert-inhabiting species—easily blotted out—the protection accorded was most timely and wise.



The other far-western states having antelope and mountain sheep were slow in following California's good example. We have not taken pains to collect a full line of state history on the treatment of those species, but we do know that soon after the twentieth century came in (about 1901) Mr. G. O. Shields, editor and owner of Recreation Magazine, began to find fault with all antelope hunting in the United States. He devoted a very commendable amount of effort to demanding of the antelope states other than California, that their legislatures should stop all hunting and killing of antelope for at least five years. The New York Zoological Society cordially encouraged that campaign, and while it was proceeding the present writer made a similar, but less effective, campaign for mountain sheep protection.

There was very little opposition to the enterprising campaign of Mr. Shields. In steady succession the state legislatures responded with laws prohibiting all antelope hunting for long periods. In June, 1909, there was published by the Zoological Society a "Wild Life Preservation Number" of its bi-monthly "Bulletin," which I commend to the historians of wild life protection. In an article entitled "Hope for the Antelope," the writer said:

"Both Montana and Wyoming recently have enacted new laws providing absolute protection for the prong-horned antelope for a term of years. This is a great achievement, for the reason that the chain of protection is now really complete. The laws for the antelope are now sufficient. The next thing is to provide for their enforcement. *We must reach the stockmen*, and ask them to do that which *no one else can do*."

"There are yet remaining alive probably 5,000 antelope, all told. It is greatly to the national credit that we now are able to publish to the world the news that in every portion of its range throughout the United States the prong-horn is absolutely protected, and for it there is no open season. If we can but maintain this condition, *and stop the unlawful killing by residents of antelope territory*, it may really happen, that the Americans of A. D. 1935 will find the antelope still living in our land."

\* \* \* \* \*

From the beginning of this antelope gesture, we all knew that several great dangers menaced the widely-scattered remnant bands and herds of antelope. They were four in number, standing in the following order of destructiveness:

*Lawless killing*, by local hunters and residents impossible to watch.

*Big Herds of Cattle and Sheep*, in quest of "free grass."

*Wire Fences and Agriculture*, seeking all fertile valleys, with or without irrigation.

*Coyotes*, always hunting antelope fawns and killing many.

It was almost impossible for any outsiders to successfully combat the evil doings of the four sinister influences listed above. Not one antelope state had, or could afford to employ, one-tenth enough game wardens to watch and curb the illegal "resident" killers of big game by sheer abundance of espionage. If public sentiment would not lead the men who *could* kill antelope on the sly to refrain from the doing of it, then the antelopes were doomed; for no man-power could watch them over those

thinly inhabited state domains, to catch and punish attempts at slaughter. All we could do was to appeal for antelope protection by public sentiment, and hope for the best.

It may now be recorded, with sincere thankfulness, that the "local-resident" people of the antelope states rose to the occasion, and *admirably protected those helpless animals!*

Really, was it not wonderful? It was the farmers, the ranchmen and the stockmen who did it. In the main, they would not stand for the killing of antelopes by poachers, or any other people—not even when the antelopes made them "sore" by eating their alfalfa. But for the goodwill of those range and ranch people, there would be only about 1,000 antelope alive today in the United States instead of perhaps 30,000! In our dealing with the uncertain future we must not forget this perfectly evident fact, and cite it for all it is worth.

The coyote menace was another dragon that could not have been conquered by all the conservationists of the nation—even if they had pulled together, which is something that they never have done since the high-killing privileges of sportsmen were put on trial in 1920. Fortunately, the calf, the colt, the sheep of the stockman, and the domestic chicken of the ranchman brought to the antelope fawns a great measure of protection from the wily and determined coyote and wolf. The war of the ranges and ranches against the prairie and gray wolf produced big war funds from the states and from the national treasury, and the government wolf-killers have very well reduced and kept down the wolf and coyote populations. No; those pests have not been exterminated, and they never can be; but they are a thousand miles from being the sweeping pestilence that they would be but for the state bounties on their devilish scalps, and the organized warfare that each year pursues them.

As a case in point, the years of small increase—or none at all—in the Yellowstone Park antelope herd near Gardiner has been due in part to the killing of the annual crop of antelope kids by the coyotes from outside the Park that diligently seek them every spring in the birth season. When that herd remained stationary in number for about ten years, and very little poaching was brought to light, the coyote conclusion was inevitable.

*The Sanctuary Period.* The publication in June, 1909, of the welcome news that all antelope states had by state laws stopped all antelope-killing brought some peace of mind to all people who had striven to provide for the antelope the utmost protection that laws could give. There was universal rejoicing. What would be the next measure to insure protection and increase?

The precise status of the surviving antelopes—their localities, their numbers, and their prospects for surviving the miscellaneous "slings and arrows of outrageous fortune"—was scarcely known. This condition existed until 1921. In that year Mr. M. S. Garretson, Secretary of the American Bison Society, devoted months of time and labor to the making of a census of all living prong-horned antelopes in North America that he could locate. This was the first census ever made! and it was published by the Bison Society on January 1, 1922. In the United States and

Canada Mr. Garretson reported a total of 11,749 head. Naturally, the findings of that census were very encouraging.

In 1922, '23 and '24, Dr. E. W. Nelson undertook and carried to completion another antelope census, made with all the advantages that the rich and powerful Biological Survey and its numerous field agents could command. The results were published in admirable form in 1925, and they reported a total for Mexico, the United States and Canada of 30,326 head, existing in 286 separate bands or herds.

As I look back upon the work done for the prong-horned antelope from 1909 to 1929, it seems like a dream of paradise. For once there was no opposition! No game-hogs bullied their state assemblymen, or their members of Congress, or game commissioners for "opposition" to protect their "rights" to kill as usual. No conservation leaders-for-revenue-only interposed to prevent the workings of plans for salvage. Even the local ranchmen and hunters held their hands from the poaching that they could have done, but we know that some sheepherders with rings in their ears shot antelopes around Warner's Lake, Oregon, to discourage the Bison Society and the local stockmen from making a preserve.

About five years after Wyoming had accorded antelope protection, there was clamor in Wyoming for "a short open season" on the shattered remnants of that state. General indignation prevented a slaughter that had actually been authorized. But not for long. In 1929 it was pulled off, as will appear later on.

Promptly with the birth of hope for *Antilocapra* in 1909, several organizations and a great many persons got busy to promote the salvage that it seemed possible to effect. Briefly listed these efforts were as follows:

The Boone and Crockett Club put two herds of fawns in the Wichita Bison Range, and another in the Montana Range, but when the latter herd had bred up to 68 head, a big snowstorm came, drifts piled up to the top of the boundary fence, and at once coyotes rushed in, and killed every antelope before the raid was discovered. The Boone and Crockett Club promptly established a second herd in the Montana Bison Range, which is successfully carrying on.

The American Bison Society and the Permanent Wild Life Fund placed two bunches of antelopes in the Wichita Range, and also spent both money and effort in trying to bring about the creation of a national antelope and sage grouse preserve around Warner's Lake, in southwestern Oregon. An exploration of the territory and a valuable report upon it was made by Mr. M. S. Garretson. This effort failed through lack of support in the Interior Department, at Washington.

The California Academy of Sciences undertook to aid in the protection of the Mt. Dome antelope herd, the Nelson Sheep herds in the Funeral Mountains, and a herd of Valley elk. Toward the upkeep of those three separate enterprises the Fund contributed \$300 per year for four years, when the state assumed the burden.

In 1923 Mr. E. E. Brownell of San Francisco proposed to us the planting of a nucleus antelope herd in the Grand Canyon of Arizona, near the El Tovar Hotel. The spot finally selected was on the Tonto Plateau,

at the Hermitage spring. At first we were skeptical, but after a personal examination of the outlook we became convinced that the idea was worth a trial. Dr. Brownell and the Permanent Fund each contributed \$1,000, which was turned over to the Biological Survey without conditions. And at that point the State of Nevada came in with a fine gesture of support.

Through the efforts of Governor J. G. Scrugham, the State of Nevada gave the Biological Survey permission to capture 40 antelope fawns in the two great new State Antelope Preserves on the northern border of the state—the Washoe and Humboldt, for breeding purposes. The Washoe refuge contains 3,888 square miles. Its boundaries are 312 miles long, and in 1925 it contained about 2,000 antelope. It occupies the extreme northwestern corner of Nevada. The Humboldt refuge of 1,836 square miles has a circumference of 168 miles. It lies centrally on the northern boundary of Nevada, and in 1925 contained about 1,000 antelopes.

The antelope catching enterprise was very wisely and successfully carried out for the Biological Survey in 1924, by Mr. E. R. Sans, without accidents or losses; and the proceeds, of 40 fawns, were so divided up as to stock three government game refuges. Thus, the Grand Canyon got 12 head, the Niobrara Bison Range secured 10, and the Montana Bison Range drew 9. Thanks to good management, this was, on the whole, probably the best investment in *Antilocapra* on the hoof that ever was made in our day.

In June, 1925, we made another antelope venture. While in Cody, Wyoming, attending a meeting of the Park Country Sportsmen's Game Protective Association, we at last came in personal touch with the present owners of the Phelps Ranch, at Pitchfork, on the head of the Graybull River. That rather remote cattle ranch then contained about 1,500 wild prong-horns, which had from year to year been protected from hunters by Mr. Henry Phelps, the original owner (now no longer living), who was a great friend and protector of wild animals, and his heirs.

The heirs of Mr. Phelps complained (in 1925) that those very numerous antelopes were consuming a lot of grass that really was needed for the Phelps cattle. The burden of it was growing wearisome. Somebody else should bear some of it—if the antelope herds were to carry on. The State Legislature had been asked to contribute something to ease up the situation, but up to that time nothing had been done.

"We can not," said the ranch manager, Mr. Charles J. Belden, "go on in this way. The burden is becoming too much."

I said: "Will you, for a payment of \$500 a year, for at least two years, carry on in protecting those animals and permitting them to consume your grass?"

"Yes," said the manager and the members of the Phelps family, "we will. We will sign a contract to that effect. At the end of two years, the State will perhaps take up part of the burden."

We decided to risk \$1,000 of our much-too-small Permanent Fund income for the saving of the largest single antelope herd in existence. At once a contract was drawn and executed, and we went home feeling that for two years at least we had the greatest bargain in preserved antelope that ever was bought.

For two years the contract was fulfilled to the letter. In course of time, the State of Wyoming did indemnify the Phelps estate in the sum of \$3,000; but soon after that the crash came. The story of the great tragedy of the Wyoming antelopes of 1929 will be found briefly recorded in Chapter XI. We think that awful killing was an awful mistake. The reductions absolutely necessary should have been handled differently.

In 1925 Dr. Nelson greatly desired to erect a line of tall boundary posts, bearing metal notices, all around the boundaries of the two new antelope sanctuaries, Washoe and Humboldt, that the State of Nevada had created up against her northern boundary. The sum of \$500 was needed from without, in a hurry; and the Fund furnished it. The notices erected and maintained leave no room for argument, and the wording may be taken as a model for similar uses. Here it is, as shown in Dr. Nelson's antelope pamphlet No. 1345 of August, 1925:

NEVADA GAME REFUGE No. 9.

*For the Preservation of Antelope and Other Game.*

HUNTING GAME ANIMALS OR BIRDS ON THIS REFUGE IS PROHIBITED  
UNDER PENALTIES PROVIDED BY LAW.

All persons are asked to assist in the protection of antelope, to prevent the extermination of this beautiful animal, found only in North America; also to help protect other game, that the surplus may spread to the surrounding country.

Maintained in cooperation between the State of Nevada; the Bureau of Biological Survey, United States Department of Agriculture; and the Permanent Wild Life Protection Fund of New York.

For further information address

Nevada State Game Commission, Carson City.

J. G. SCRUBHAM, *Governor.*

It must not be omitted from these records that the very first large fenced range ever made for the prong-horned antelope was the one made in 1913 by the Dominion of Canada, under the joint efforts of Maxwell Graham and J. B. Harkin, Commissioner of Dominion Parks. It contains 5,000 acres. It is situated 42 miles southwest of the city of Medicine Hat, and 13 miles from the town of Foremost, S-E Alberta, and when created it fenced in about 50 wild antelopes, as a nucleus herd. In 1925 that range contained 235 head.

The first antelope preserve made in the United States was created in 1911, in Montana, by the joint efforts of Governor Norris, Senator Cone, the Montana Legislature, Laton A. Huffman and W. R. Felton of Miles City, and W. T. Hornaday. It is recorded in another chapter.

THE PERMANENT FUND'S EFFORT FOR THE SHEEP AND ANTELOPE  
OF MEXICO

Down to September 30, 1922, the mountain sheep, antelope, deer, tapirs and peccaries of Mexico had been, from the beginning of time, absolutely destitute of anything even resembling protection. They were the

helpless and easily-killed prey of the Mexican local hunter, the Mexican sportsman, the always hungry Papago Indian, and the merciless Americano.

In the awful Pinacate lava country, to which the last remnants of the harried sheep had retreated in 1900, we found piles of mountain sheep horns (at the Papago Tanks), from sheep that had sought refuge in the deep volcanic craters near by, and had been clubbed to death as they were frightened out by Papago Indians in quest of salt at the Gulf of California.

In 1908 we established good relations for conservation issues with President Diaz, and were getting on uncommonly well—when Madero came! Alas! for Mexico. From that beginning of trouble down to 1921 there was nothing to be done (by us) in the conservation of wild life in Mexico; but we constantly watched for a chance, just the same.

In 1922 it came!

About August 1, 1922, the most distinguished zoologist of Mexico, with his little daughter Lucy as a companion, came to New York City, to spend a month in studying some of its institutions. Professor Alfonso L. Herrera, the dean of the biologists of Mexico, is a distinguished man. He has made his mark as a zoologist and botanist, author, teacher, founder and director of scientific institutions in Mexico. His title is Director of the Biological Studies of Mexico, and under him were the National Museum, the new Zoological Park, Aquarium and Botanical Garden.

Being one of those now rare survivors of past times—an "old-fashioned naturalist"—Professor Herrera is interested in practical zoology and wild life preservation. During the week that he spent in the Zoological Park we spent hours in discussing the present status and the future prospects of the fauna of Mexico. We put up a special plea for prompt measures that would save the mountain sheep and antelope of Mexico from complete extermination. Professor Herrera solemnly promised that he would do everything that he could to accomplish that end. "But," he added regretfully, "I fear that nothing can be done until the Mexican Congress again reassembles. That will not be until next winter" (1923). It was pointed out that this would mean another six months of sheep and antelope hunting, with terrible results to the remnant bands of those vanishing species.

Vowing to the last moment, "I will do my best," Professor Herrera left for Mexico about September 10.

On October 3, 1922, we were thrilled by the receipt from him of the astounding news that on September 30 President Alvaro Obregon had signed two separate decrees granting ten years of absolute close-season protection to all the mountain sheep and antelope of Mexico, and that the decrees actually became effective on October 1! The proclamations prescribed, as punishment for their infraction, fines ranging from \$50 to \$500, or the alternative of fifteen days imprisonment, for first offenses, with double penalties for second offenses.

The above delightful decrees were supplemented by another making Guadalupe Island a perpetual wild life preserve—which saves the elephant seals thereon; and still more recently (May 28, 1923) by another giving five years of protection to the deer of Cedros Island and those living on the west coast of Lower California.

In 1922 we realized that the Government of President Obregon had troubles of its own, and that it would be unfair to ask or expect that it could or would hire a special game protector to enforce the Obregon decree of antelope and sheep protection in the State of Sonora. Without having been asked, we offered to supply, at the expense of the Permanent Fund, a specially qualified protector, if the Mexican Department of Game and Hunting would duly commission him.

Our offer was graciously and gratefully accepted, and Senor Carlos Lopez promptly arranged a formal appointment. The American hunter who was selected for this work, Ben Tinker, of Tucson, Arizona, was thoroughly familiar with El Desierto of Northwestern Sonora, from the hunting trips that he had previously conducted therein, and he provided himself with a Papago Indian assistant, an automobile and an outfit of saddle and pack horses.

Throughout the six months hunting seasons of 1923 and 1924 the portions of northwestern Sonora that still contained a few small bands of dwarf mountain sheep and Mexican prong-horned antelope were thoroughly patrolled. The presence of the game protector, and his power to make arrests, was well advertised, and poachers were warned to keep away.

In course of time, two very exasperating incidents occurred. A United States Army officer, determined not to be balked in his desire to hunt antelope and deer in Mexico, in some manner procured a special hunting permit (by order of President Obregon) on which he invited and took with him on a hunt for protected sheep and antelope *three* other Americans. Mr. Tinker saw two of Col. McNab's unauthorized guests cross the boundary into the United States with two fresh antelope heads and one sheep head in their possession, but we *never yet* have been able to find *what* or *how many* other protected animals were killed by the United States Army officer and the third protected American poacher.

Encouraged by this successful exploit, in the next hunting season another American Army officer went in on a "permit" issued by the Mexican consul at Laredo, who had no more right than a coyote to issue such a document, and he proudly described his adventures and killings in an American magazine for sportsmen.

Those two very exasperating occurrences, and one other, led us to ask ourselves, "What is the use?" The Mexican Government was invited to give us some assurance that no more permits of any kind would be either issued, or recognized, by the authorities of the Republic, and inasmuch as nothing of that nature was offered, the Fund terminated its protective service at the end of its second year. The total cost to the Fund was \$2,989.29.

As a remaining crumb of comfort is the new wild-life sanctuary status of the Island of Guadalupe, and the open declaration of the Mexican Government that all persons molesting or attempting to molest the elephant seals on that island will be *treated as pirates!* I have known at least one individual who proposed to go to Guadalupe to "photograph" those animals, without permission, but in view of the "pirate" provision wisely refrained.

## CHAPTER XXIX

### THE UPPER MISSISSIPPI WILD LIFE REFUGE

#### WILL H. DILG'S MONUMENT

In 1921 there arose in the Middle West a conservation John the Baptist, preaching in the Wilderness. His name was Will H. Dilg, and the sphere of his ministrations had the city of Chicago as its storm center. In 1923 and '24 he made for himself and others a glorious monument of land and water, meandering along 300 miles of the Father of Waters, and rendering great service to the four sovereign states of Minnesota, Iowa, Wisconsin and Illinois.

With the aid of good human elements in Chicago and elsewhere, Mr. Dilg created with marvelous speed an entirely new force in wild life conservation. Being himself an ardent angler, and champion of the angling pastime, the organization was named after an ancient angler of England, long since canonized, and now worshiped as a fetish by millions of bibliophiles and others who know the butt of a rod from its tip. The Izaak Walton League was made out of the brain and nerves of Will H. Dilg. In giving his sacred name to the new organization, Saint Izaak of beloved memory served still another good purpose.

Dilg was a man of dauntless courage, persuasive eloquence, a sound heart and inspiring zeal in the protection of fish and fishing waters, and game and game haunts. For dynamic and compelling force Billy Sunday never held any edge over him. It is my earnest hope that sometime within the next 50 years a new crop of Americans will look upon the great Upper Mississippi Wild Life Refuge with eyes of retrospection, and will rear at least one stone to the memory of the man who did most to make it. The only thing that hinders me from now erecting to Dilg a perfectly good marble monument is seventy-six years.

In 1922, or thereabout, Will Dilg decided that about 300 miles of the marshy and backwater shores of the Upper Mississippi River, then a vanishing paradise for black bass and other fishes, waterfowl, marsh birds and various kinds of small game, should be forever preserved by federal law, as a national wild life sanctuary, with limited fishing rights for real anglers. He took an account of stock, and decided that with reasonable assistance from Minnesota, Wisconsin, Iowa and Illinois, Congress might pass an enabling Act, with an appropriation for the purchase of the great domains of land, waters and woods that were required. At the very inception of the movement Dr. L. H. Pammel, of the Iowa State College, enlisted in support of the plan, and rendered important services.

When we first saw in cold type the stupendous sum of \$1,500,000 we just *knew* that the scheme was "wildly impossible," and "could not be done!" It was "suicidal" to propose such a sum to Congress; because, up to that time, Congress "never" had appropriated for any game preserve a larger sum than the \$40,000 that went into the Montana National Bison Range in 1909. But the four states most concerned brazenly endorsed the idea, recklessly promised their support, and before the sleepy East was





WILL H. DILG

Founder of Izaak Walton League, and  
Upper Mississippi Wild Life Refuge.



SENATOR HARRY B. HAWES

Sponsor Upper Mississippi Wild Life  
Refuge bill.

really awake to it, a bill was introduced, by Representative Hawes, of Missouri, and the campaign for its passage was rushing on.

The Upper Mississippi Fish and Game Refuge bill was introduced in Congress in 1923 by Hon. Harry B. Hawes, of Missouri, then in the House of Representatives, but now a Senator. He is of all living men the man most competent to relate the story of the initiatory work on that huge development, and on him many hopes now are fixed.

Fortunately for this brief sketch of large history, Senator Hawes' delightful new book, "My Friend, the Black Bass" (F. A. Stokes Company, 1930), has appeared just in time to furnish here a graphic picture of how, and by whom, the Mississippi Wild Life Refuge crashed the gates of Congress in 1923 and '24. This is the Senator's story as it appears in his book (page 275):

"Will H. Dilg came to my office one evening while I was a member of Congress and over-persuaded me to take up the fight for the passage of what is now known as the Upper Mississippi River Fish and Game Refuge Act. Back of every important measure which passes Congress there must be an organization. It must have for its support an organized, educated sentiment. I viewed prospective success with trepidation; I was uncertain about it. But the compelling personality of Dilg secured my consent.

"In all its history, the United States had never engaged in a similar enterprise. It was a pioneer movement, a new theory, and the new thought back of it was primarily thoroughly unselfish, disassociated from any possible pecuniary advantage to anyone; based exclusively on the wish to

do something for posterity. Bill was wiry, with a long, strong jaw, an eye that penetrated, a voice that carried; a thin, emaciated man, possessed of an intellectual vigor that was astounding. He dressed well, carried a cane, and had an earnest, forceful manner. He first fixed my attention by telling me of George E. Scott, of Chicago, a successful business man who, with the assistance of some of his friends, was underwriting the Izaak Walton League of America, and incidentally underwriting Bill and his trip to Washington. He described his first meeting with Scott; their enthusiasm for the same subject. Later he brought Scott to Washington, and then their general counsel, General Jacob M. Dickinson, former Secretary of War in President Taft's Cabinet.

"The bill was drawn by General Dickinson, another stalwart, another picturesque character, another friend of the great outdoors. Bill painted the picture, George Scott paid for the painting and the canvas, and took care of the artist while the painting went on. Dilg was essentially a dreamer, an apostle; Scott is a hard-headed, clear-thinking business man. They were two distinct, antithetical types, cooperating in a single undertaking. Without the one, the other would have failed. Both had the same thought, the same vision, and contributed in their joint efforts the elements that made for success.

"And so began a fight for the preservation of 300 miles of Upper Mississippi River shoreline, which called for legislative approval by Illinois, Iowa, Minnesota, and Wisconsin; a national legislative program involving the legislative sanction of four sovereign states. It was a demonstration of what can be done when men of temperament unite with men of business acumen and determination. Some 3,000 chapters of the Izaak Walton League responded with resolutions and telegrams. The then Secretary of Commerce, Mr. Herbert Hoover, became an enthusiastic supporter."

So far as we are aware that crazy Dilg asked no help from any Eastern organization, save the American Game Protective Association. Concerning that, in his *Waltonian* newspaper Dilg declared that no help from the A. G. P. A. ever was delivered. The leader opened campaign headquarters in Washington at the Willard Hotel, for the 1923 and '24 session of Congress, and flung his body, mind and spirit into the campaign. He seemed to feel the necessity of directing every move himself.

Shortly after that perfectly astounding victory, I dined and spent an evening with Dilg in Washington, and heard his story of the campaign. When I inquired regarding assistance from the Biological Survey, he told me this story. He said:

"Yes; I *did* receive some help from the Biological Survey. After our bill had been passed by both Houses of Congress in June, 1924, and was ready for the President's signature, they told me that there was a flaw in the wording of the bill, and that it was unworkable! *And they proved to me that they were right!* What do you think of that—with adjournment only two days off? TWO DAYS! Now, *why* did they not point it out to me before those last days?"

"Well, what did you do about it?"

"DO? I saw that there was only one thing to do, and that was to

have the bill made workable, and *repassed*. Yes sir, *repassed*; by both Houses of Congress! And there was only one way on earth by which that could be done. That was by a personal request to Congress from CALVIN COOLIDGE, President of the United States!"

"Not an easy thing to secure."

"Well, it seemed to me that there was only one man living who by any possibility could secure from President Coolidge precisely the help that we needed. I rushed to the office of Herbert Hoover, Secretary of Commerce, and I said, 'Mr. Hoover, for God's sake, put on your hat and coat, quick, and come with me to see the President. *You* must ask him, and *beg* him if necessary, to ask Congress to repass our Mississippi River Refuge bill—*before Congress adjourns, day after tomorrow. If he will not do it, our bill is dead!*'"

To give Dilg time to draw another breath, I inanely said,

"Well, and what did Secretary Hoover say to that?"

"He was magnificent! Say! He is an *awfully good sport!* He dropped everything that he was doing, and came with me. We jumped into a cab, and drove to the White House. The President saw us at once. I can't tell you what he *said*, but he was mighty sympathetic and helpful in what he *did!* The end of it all was that both Houses of Congress *did* repass our bill, before the gavels fell for adjournment! Its second passage was wholly due to what President Coolidge did, in response to the appeal of Secretary Hoover."

"Fine! You must print that gorgeous story in full."

"No. It can't be done; or at least, not now. Later on it may do."

Under the Upper Mississippi Wild Life Refuge Act, passed in June, 1924, and backed by federal support in the unbelievable sum of \$1,500,000, that long chain of refuges is being created. Even today it is quite the same as an accomplished fact. And what did it yield in honors or emoluments to its creator-in-chief, Will H. Dilg?

In 1926, just two years after Mr. Dilg's campaign brought its greatest glory to the Izaak Walton League, the annual convention of that League deliberately and cruelly threw Will H. Dilg out of the presidency; and on March 27, 1927 he died in Washington, in the Episcopal Eye, Ear and Throat Hospital, a painful death, of cancer of the throat.

Thus far no one has proposed anything whatsoever to perpetuate his name; but by an uncanny dispensation of Fate, two of the men who most strongly opposed him in 1925 have also passed away. One was Charles W. Folds. The other was George H. Selover, a devoted worker with the supporters of the old public shooting grounds bill. At the very time that Mr. Dilg, chief creator of the Izaak Walton League and the Upper Mississippi Wild Life Refuge, was thrown out of the presidency of the League (1926) and out of the editorship of *Outdoor America*, he was virtually a dying man! He managed to live until 1927, and I am glad that he lived long enough to state his case in two numbers of *The Waltonian*. Today, the very least that his successors can do is to place in the editorial head of *Outdoor America*, under the name of "The Izaak Walton League," the words—FOUNDED BY WILL H. DILG.

## CHAPTER XXX

### THE MIRACLE SANCTUARY BILL

From January 1, 1926, to January 1, 1928, the outlook for better federal protection for migratory game was very dark. It is true that in 1927 the odious and impossible old "game-refuge bill" had been knocked out of the ring, on May 24, 1928, by Senators William H. King and C. C. Dill, and it lay in a comatose condition in the Chamber of Incurables of the Senate. But the U. S. Biological Survey was stubbornly resisting all appeals and efforts calculated to make a real beginning in bird-killing reforms. The shrewd scheme for counting the waterfowl of North America 12 times a year for "a period of years" was working like a charm in the 19 states of duck concentration, in protecting all the various kinds of sportsmen of those states in their destructive 25-per-day killing privileges.

Early in 1926, a wise friend in Washington wrote to us as follows:

"The old public shooting grounds bill, strongly backed by your opponents, is effectively blocking the progress of your bag-limit cause. *You never can get anywhere with your bill, or with any other real wild life conservation bill, until the enemy's bill has been completely destroyed!*"

Then we decided to devote some attention to that dog-in-the-manger measure, which, being unable to get on, might as well be put out of its misery, and buried. It had had its chances in Congress, half a dozen times over, and its chances were steadily diminishing. Why should its backers eternally block a far better measure?

On April 29, 1926, Representative F. H. La Guardia, of New York, in a devastating speech in the House of Representatives strongly attacked the old public shooting grounds bill. It was a valuable public service, and had far-reaching results.

Early in 1926 our bag-limit bill was introduced in the Senate and House by Senator Copeland and Representative Schuyler Merritt, but during that year it made no progress whatever.

So far as our bag-limit cause was concerned, the year 1927 was a complete blank. Early in December, 1927, the author of this volume was attacked by a very comprehensive case of sciatica; and by December 20 he was physically down, and presumptively out. The pain of it was savage, and fairly continuous; but it did not prevent thought about the approach of Doomsday to the migratory birds of North America.

On January 18, 1928, I received a copy of Bill S. 1271 which made me aware of the fact that Senator Peter Norbeck, of North Dakota, had been prevailed upon to reintroduce the old public-shooting-grounds "game-refuge" bill; and it made me think. I was impressed by the idea that Senator Norbeck was really unaware of the true character of the bill to which he had loaned the use of his honored name, and that the introduction

was wholly an affair of "request" and not of the heart. *It seemed to me wickedly unfair to let him go unwarned!*

*Our side held the ace of clubs against that bill; and we must help to bury that vicious and dishonest measure. I particularly refer to the intent of the bill to put Uncle Sam up to his neck into the odious business of, creating, maintaining and managing a vast array of dollar-a-year duck-shooting resorts, and make more game-killing instead of less.*

I never had met Senator Norbeck, and therefore never had made his acquaintance save by correspondence. The fact that he was from the clean and sunlit prairie state of South Dakota set me to thinking. It seemed to me almost certain that he did not realize the more-game-killing character of that bill. Was he not being used as a cat's-paw to rake other people's chestnuts out of a hot fire? . . . Finally—is he not an Innocent Victim? In that case, it is my duty to warn him.

My friendly Advisory Imp whispered to me insistently,

"You must warn him! You must write to him—about those shooting-grounds and fake refuges. *Do it at once!*"

I sat up in my bed and wrote the following letter:

January 19, 1928.

Hon. Peter Norbeck,  
United States Senate.

Dear Senator Norbeck:

I have *no hope* whatever that this letter will accomplish anything; but my heart prompts me to write it, and I will.

Honestly, I hate to see you report your Bill No. 1271 to the Senate, and put it upon the calendar. *It is too vulnerable!*

I have just finished a careful study of it, and I am convinced that it is not at all the good-conservation bill that you think it is. I do not care who drew it, or who vouches for it to you; it is *not* what it purports to be. That vicious public-shooting-ground feature—which is omitted from the long title of the bill—is the *real* reason for this bill. It means more killing of game, not less; and the American people must not be made to believe that this measure will "increase" game! The actual effect of the bill will be to put the federal government into the business of *founding and maintaining duck-shooting resorts*, and generally promoting the *killing* of waterfowl.

*Do not*, I beg of you, become the sponsor of that bill before the Senate! Let it quietly die, and drop into oblivion. Senator Brookhart's bill should do the same.

If you care to have a full statement of my reasons for thinking and feeling as I do, I will cheerfully furnish it.

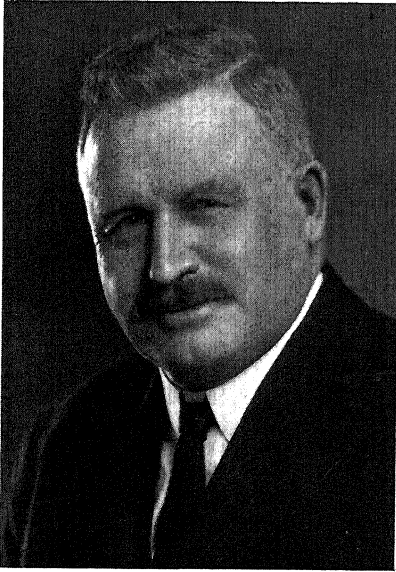
So far as the writer is concerned, this letter is confidential.

Yours with sincere regard,

W. T. HORNADAY.

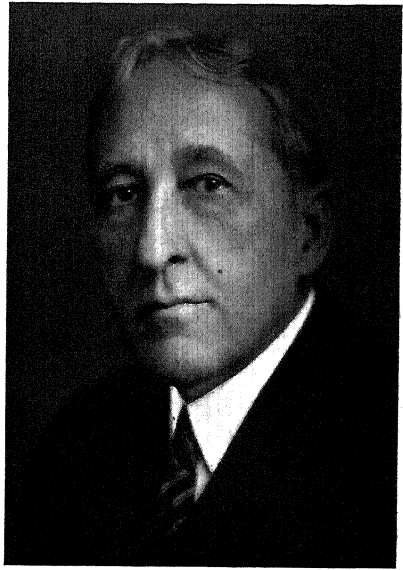
To my amazement and joy, back came this response. The possibilities that it unfolded thrilled me like 700 volts of electricity:

## SOUTH DAKOTA



SENATOR PETER NORBECK  
Author of the original Norbeck Sanctu-  
ary Bill.

## UTAH



SENATOR WILLIAM H. KING  
A Senate Leader in Game Protection.

Dear Mr. Hornaday:

January 21, 1928.

Be assured I appreciate your confidential letter. I think your suggestions are fine, and I assure you the bill will be amended to provide a larger part of these areas to be actual sanctuaries. The amendment will provide that *at least* 60 per cent. will be. My judgment is that it will run from sixty to ninety per cent.

I thank you for your interest in these matters, and assure you I am always glad to hear from you.

Sincerely yours,

PETER NORBECK.

Back went a quick reply, begging Senator Norbeck to further purify the bill by striking out the *whole provision for public shooting grounds*, and bearing down hard on the whole idea of making Uncle Sam into a keeper of resorts for muddy hunters and dead ducks.

To that the Senator replied at once, declaring that he never had liked the public-shooting grounds feature, and would be willing to strike it out entirely, and rewrite the whole bill, if he could be assured that he could gain for it enough *new* support to counterbalance the support that he surely would lose by that drastic action.

I replied that a bill so reformed would be supported by our side to the very utmost limits of our ability and resources; and I urged the reform as an act calculated to earn the gratitude of the nation.

## WASHINGTON

## MINNESOTA



SENATOR C. C. DILL

A Senate Leader in Game Protection and Increase.



REPRESENTATIVE AUG. H. ANDRESEN

In charge of the Norbeck Sanctuary bill in the House.

Without changing its number, the bill was rewritten, and offered as an "amended substitute" for the old bill. At once I sent out more than a hundred telegrams giving the news, and appealing for prompt and strong support.

And then in the Senate there came on a new proposal. The perpetual enemies of the \$1 federal-license-tax feature—the whole proceeds thereof to be expended by the Biological Survey—was fiercely attacked by several Senators, and its elimination demanded. The whole Senate buckled down to a searching debate on inviolate sanctuaries and public hunting resorts, on the issue of a new license tax on sportsmen, or United States Treasury money for the creation and maintenance of the sanctuaries. The debate was led by Senators King and Dill, who in previous sessions had openly offered to vote for "1,000,000 a year for 5 years" from the United States Treasury, for sanctuary foundations.

Soon there was manifested throughout the Senate very decided approval of the idea of sanctuary making and protecting by means of federal money, regularly appropriated by Congress. The extent of this leaning soon became amazing; and at last the sum agreed upon, for inclusion in the bill, was \$1,000,000 *per year for ten years!*

At first there was some strong resentment of the idea of creating an array of "new office-holders" as wardens, but it was pointed out from all

points of the compass that it was a case of "*No wardens, no sanctuaries!*" At last the indispensable warden idea sensibly prevailed, but not for federal wardens to act outside of the sanctuaries! No, sir! There should be no mixing-up on the same territory of *state* wardens and *federal* wardens! The existing federal wardens are tolerated today by the states solely because there are only 25 of them, and they are so lamentably few that they are helpful without being troublesome. (In the near future, this whole question of federal help in state law enforcement has got to be worked out to a sensible *modus-vivendi* conclusion. *There should be no trouble whatever about so simple a matter!* Section 17 of the Senate's Norbeck bill *was Right!* Already a fine and satisfactory precedent exists.)

In the last days of the debating and amending of the new Norbeck sanctuary bill, Senator Norbeck stood fire like a veteran soldier who is resolved to win his objective, or die. He sincerely believed that Congress *never* could be induced to appropriate the millions of dollars of U. S. Treasury money that would be absolutely necessary to the success of any federal sanctuary enterprise carried out on a large scale. He sincerely believed that the only way to obtain quickly and surely the funds necessary would be through the federal dollar-license provision. He believed that if the license provision were stricken out of his bill, the bill would be the same as dead, and he would be utterly beaten; and for these reasons he stood out to the last for the dollar-license feature.

Although his patience was sorely tried, Senator Norbeck was too large a man to be swerved from his great purpose by impatience or pique, or anger at heckling. He manifested iron-clad determination to get *all that he could* of his three objectives, and leave to others the blame for any failures that might follow the success of the Opposition. As I read the Congressional Record's report of the long debate, I had to exclaim,

"Senator Norbeck is magnificent!"

But the writer would not enter one foot into the effort to strike out the hunting-license feature of the bill, as two of our leaders demanded that he should do. To have done so would have been ingratitude on his part toward the Senator who already had made two great and vital concessions, inviolate sanctuaries and no shooting-grounds. I felt that if the tens of thousands of sportsmen who were openly opposed to the license feature had not enough sand in their craws to secure the omission of the dollar license feature, then it might remain forever for all o' me.

The Senate passed the Norbeck sanctuary bill on April 18, 1928, *unanimously!* It was an AMAZING MIRACLE. There was no "division," and no roll-call. It contained *not one feature of the old "game refuge bill"* which some of our enemies presently reported had been "passed by Congress!" It made the following provisions:

1. All of its game refuges are to be "inviolable sanctuaries."
2. There are to be no "public-shooting-grounds"; and Uncle Sam does not become a proprietor of shooting resorts.
3. The sanctuaries are to have adequate warden protection.
4. No state's rights are infringed; but through Section 17 it ad-



mirably provided for state cooperation by allotments of federal money for more state game wardens.

5. There would be no federal hunting license, and no \$1 fee to pay.
6. The cost of making sanctuaries, and their protection from poachers and vermin, is to be met by direct Congressional appropriations from year to year, from the U. S. Treasury; and the bill "authorized" appropriations not to exceed one million dollars a year. It made an actual initial expense appropriation of \$50,000 (no money, no sanctuaries!) and provided for the expenditure of \$10,000,000 in 10 years.
7. The sanctuaries will, therefore, not be for the sole benefit of waterfowl and duck-hunters, but for all migratory birds, and all of the 100,000,000 people who do not shoot birds.
8. The cost to each person of the 100 million will be, at the maximum, EXACTLY ONE CENT EACH PER YEAR!

Barring the passage of this bill by the House, there were four presumptive obstacles, each one of which were classed (by outsiders) as "insurmountable." They were as follows:

1. The hurry and clamor and turmoil of a "short session."
2. The absence of all selfish personal interests in the support.
3. The (suicidal?) demand for \$10,000,000 of public money for birds"!! and
4. The prospect of opposition from the Department of Agriculture.

It was perfectly evident that the bill would not be pleasing to the howling dervishes of the old "game refuge bill"; but would they have the gall to oppose it? Time alone could tell us the answer. In that short session the bill easily could be killed in the House—or *smothered by foolish amendments*.

It was quite apparent that very prompt and very vigorous support would be required to register widespread public interest, and win real and worthwhile assistance in bringing the bill to a vote.

On January 1, 1928 I was a bedridden victim of sciatica, wrestling and fighting with that Demon who seemed determined to exterminate me. Until August, no M. D. of all those consulted knew how to cure me; and I roundly berated American Medical Science for being so slow on the draw in finding a cure for sciatica. For six months I spent about 20 hours out of each 24 in trying to placate the Demon, and induce him to give me just a little sleep.

Thanks to my wolfish appetite, and supplies of tempting food, I held out until August—when good friends and Good Luck sent me to Dr. B. S. Barringer, of 136 East 76 Street, New York, who, under the auspices of the Guggenheim Foundation had discovered a *knockout for my kind of sciatica*. At that hospital in *just one day that scholarly investigator cured the whole of my sciatica—completely and permanently!* At the end of nine hours of Radium, my Demon was *dead*; but it took four long months for my shattered, and almost wrecked, nervous system to heal its wounds.

Yes; but for the Guggenheim Foundation, but for Radium, and but for enterprising Dr. Barringer, this old "fanatic" would about December, 1928 surely have journeyed to his long home, instead of the N. Y. Memorial Hospital.

The above is recorded as an "aside," solely for the benefit of other victims of demons like mine, and in the belief that the Gentle Reader is interested in the conservation of both men and birds.

On April 19, the initial nucleus of our local forces in support of the Norbeck bill consisted of the Permanent Fund and its war chest containing about \$3,000, the National Committee of One Hundred (Edmund Seymour, Chairman), *Forest and Stream* (edited by Dr. W. A. Bruette), the New York *Herald-Tribune*, and the State Audubon Societies of New Hampshire and New Jersey. Our most powerful allies were young Harry McGuire of *Outdoor Life*; the San Francisco *Examiner* and J. P. Cuenin; the *Western Out-of-Doors Magazine* and R. J. Kirkwood of Portland, Oregon, and the *Minneapolis Journal* and W. B. Chamberlain. In the Middle West, at St. Louis stood A. D. Holthaus, N. R. Huff and the Southern Illinois Sportsmen's Association; Senator Gid Graham of Nowata, Oklahoma; the Iowa Conservation Association (Professor Geo. B. McDonald and Professor T. C. Stephens); the Iowa School of Wild Life Conservation (George Bennett), and J. B. Doze and Thomas M. Galey of Kansas—all were vigorous and tireless allies, and are so to this day.

During the first months, very heavy burdens were carried by Mr. Seymour. In time, the campaign was so shaped up that all of our gallant allies in the Committee of One Hundred could get hold of their end of it, and get results. We knew that upon them we could absolutely rely. Mr. Seymour, as the head of a Wall Street house, with plenty of workers about him, took time enough to do everything that a hard-working chairman and a dour fighter could do. He was a host in himself; but the way that campaign slaughtered his time was almost a crime.

Our plan of campaign was perfectly obvious. After the cards had been spread upon the table, the eastern leaders never differed on a single point. At the finish the plan looked precisely as it had at the beginning.

Our first overt act was to issue a manifesto that sounded the keynotes for a big campaign of support. It rejoiced in what had been accomplished, expressed gratitude for the Norbeck bill, and solemnly warned members of the House, and all other persons, against "amendments" of every kind. It notified the American people that every bird lover, every true conservationist, and every right hearted sportsman was expected to support the Norbeck bill *as it stood*, and help to see it through.

(In America, a "manifesto" is a document proclaiming and explaining a great matter, and intended to accomplish some definite results. In rank it is more important than circulars, petitions, briefs and letters.)

On May 12, 1928 (24 days after the passage of the bill by the Senate) we mailed the first copies of our first manifesto to 5,000 persons. It opened as follows:

THE NEW NORBECK MIGRATORY BIRD BILL  
*An Entirely New and Square Deal for the Birds*

"Out of the gloomy atmosphere of retarded "conservation" that has hung over Congress for six long years, the substitute Norbeck Migratory Bird Bill rises and shines like a star. It is amazing, delightful, and almost too good to be true. It is a golden Opportunity to do a Big Thing for all our vanishing migratory birds—not just ducks and geese, only.

"The old 'Marshlands Conservation Act,' has been turned wrong side out, sterilized, abandoned, and a new bill has been substituted by Senator Peter Norbeck, of South Dakota. The United States Senate passed it on April 18. It was debated at great length, examined with microscopes, trimmed and amended until it looked to the whole Senate like a 100 per cent. bird conservation bill. It benefits not only migratory game, but all migratory birds, and if there is a special-privilege clause in it anywhere, we have failed to discover it.

"We think that Senator Norbeck is entitled to the thanks of the whole nation for his sound conservation principles, his courageous initiative, and his infinite patience in sticking to the job until opposition gave way, and out of chaos a safe and sane measure was evolved. It is for the good of the migratory birds of North America, the 120,000,000 of Americans of to-day, and the greater millions of the future; and the cost to us all is only ONE CENT each per year!

"Now, for heaven's sake, Representatives, please pass that substitute bill (S. 1271), and don't spoil it by more amendments! Believe me, the Senate has already provided a full line of them, and there is not room for one more inside!"

\* \* \* \* \*

One Senator predicted that "Even if the House passes the bill, the President will veto it."

To that prediction we devoted some new thought; and this was our firm conclusion:

"President Coolidge has fully proven that he is a sincere and level-headed conservationist. He helped Will H. Dill through a crisis with his Mississippi River Wild Life Refuge bill. He created the National Conference on Outdoor Recreation, and he is a 100 per cent. conservationist. If the House passes the Norbeck bill as it stands, the President will sign it."

At no time in the campaign did we ever harbor one doubt about the President's friendliness toward the cause that the bill sought to promote.

The leaders of the Permanent Fund and the National Committee of One Hundred began early, and worked late. Their plan was to keep in close touch with their workers, and with printed matter to ceaselessly drive forward until the House voted upon the bill. We determined to have a strong official representative in Washington from January 1, 1929 until the House passed the bill; and for that task Mr. A. D. Holthaus, of St. Louis, generously gave three months of diligent and valuable service. In

pursuance of that program, we printed and issued the following publications, to meet the situations that one by one developed with the lapse of time.

1928

- May 10th—"The New Norbeck Migratory Bird Bill"—Manifesto.
- Aug. 10th—"Team Work With Our Enemies"—A warning circular.
- Nov. 25th—"The Final Test of American Game Conservationists"  
(With a Ding Cartoon)—Warning circular.
- Dec. 1st—"The Plain Truth about Game Conservation"—A 4-page newspaper.
- Dec. 1st—Four articles for the use of editors—Circular.
- Jan. 11th—"Quick and Strong Work Needed for the Norbeck Bill"—Circular letter.
- Jan. 15th—"Brief Against a Proposed Amendment to the Norbeck Sanctuary Bill"—Document.
- Jan. 31st—"Work for the Norbeck Sanctuary Bill"—Closing appeal.
- Feb. 12th—"The Amazing Passage of the Bird Sanctuary Bill"—News circular.

On June 2, 1929, Mr. Arthur D. Holthaus, of St. Louis, arrived in Washington as the official representative of the Fund, the Committee of One Hundred, the Southern Illinois Sportsmen's Association, and himself. He was the best man available in the United States for that task. He knew conservation work thoroughly, having been active in it ever since 1922. He generously gave his time and his services without any personal benefit to himself, and his influence on the situation was highly beneficial to the cause of the birds.

From the beginning, our stand in support of the new Norbeck bill was firm and uncompromising. We declined to consider any proposals looking toward the surrender of any of its features, or the acceptance of anything whatever from the old bill. Every time that amendments were proposed for the Senate Committee, we discouraged them in the strongest terms, and demanded their withdrawal.

In the early summer of 1928 it became evident that someone in the United States Department of Agriculture very much desired one particular amendment; which, after months of modest seclusion, finally turned out to be the elimination of the last five lines of Section 17, of the Norbeck bill. That deletion would neatly and completely *cut out all possibility of state cooperation in migratory bird protection or management, with the aid of federal money!!* This little operation, if performed, would automatically leave all the appropriated millions that might accrue by terms of the Norbeck bill *in the control of the United States Biological Survey!* And that was the real reason for all that agonized talk about "amending the bill!!" It was first heard—and very early too—in the Izaak Walton League, and later in that precious National Committee on Wild Life Legislation.

Now, we cared not a rap whether the federal warden pay-roll money was handled by the States concerned or by the Biological Survey; nor would the ducks care; but there was real danger that the amendment proposal might start a fight in the House, or the Senate, over State Rights; in

which case the Innocent Bystander (Sanctuary Bill) might be killed. At the last moment (January 11, 1929) Secretary Jardine unmasked his amendment and officially fired it into the House, in his report on the Norbeck-Andresen Sanctuary bill.

By that time, all the members of the House were ready to vote for the bill! Luckily no one paid the slightest attention to the amendment; and probably not more than ten members of the House knew the real nature of it. It went through without a hitch (just as it should), and in the Senate it was promptly approved. And yet, in December, 1929, the 16th National Conservation Conference adopted a resolution in which Congress was blamed for its "*failure to provide funds*" for the better enforcement of the terms of the federal migratory bird law!" Can you beat it?

Aside from that, all's well that ends well. The Biological Survey will handle those millions of money, honestly and efficiently; the people and the birds will get the full benefit of the money. The states will have to carry heavier burdens in game protection—and what more will the opposition benches have?

The passage of the amazing Norbeck-Andresen bill, *unanimously* by both Houses, indicated a miraculous and sweeping change in the feelings of Congress toward the necessity for REAL conservation measures, to do far more for the saving of United States wild life from complete annihilation. It is second in importance only to the 148 sanctuaries and game refuges already made and stocked. In this great overturn, all party and sectional lines were swept away as completely as they are in war or public calamity. The voice of All Congress has said that "*No Price is too great to pay for the Results the People Want!*"

If a reasonable amount of American wild life is not preserved on bases of continuance, it will not be the fault of Congress.

In view of this revolution in Congress, all opposition to the McNary-Haugen bill, to the reduction of open seasons and the baiting of shooting waters should be brushed aside, and swept away. Let our opponents dally with academic methods if they feel that they really must.



**CALVIN COOLIDGE**

*President of the United States, 1923 to 1929*

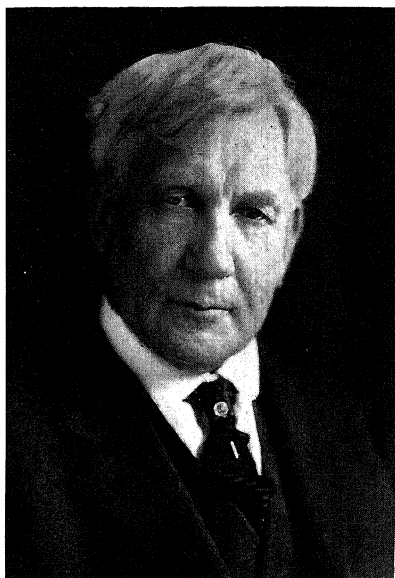
A conservationist of wisdom, sincerity and courage. A defender of  
the rights of wild life

## OREGON



SENATOR CHARLES L. McNARY  
Chairman Senate Committee on Agriculture, and champion of imperiled wild life.

## IOWA



REPRESENTATIVE GILBERT N. HAUGEN  
For 21 years a staunch defender of wild life as Chairman House Committee on Agriculture.

## CHAPTER XXXI

## THE GAME-SAVING RECORD OF CONGRESS

Because of many trivial interests that divert attention from the dangers to wild life, there is developed in Congress a whole lot of news about game "conservation" that our newspaper allies do not print. I am thereby sure that many associate members of the General Public will take notice of this humble effort to show them how their Senators and Representatives really do act and re-act on the wild life matters of this amazing nation—when they are thoroughly aroused.

During the past six years, Congress willingly and gladly passed four great wild life salvage bills of basic importance, and in support thereof has made, or authorized, the following federal appropriations:

|       |   |                   |
|-------|---|-------------------|
| 1924. | Dilg's Upper Mississippi Wild Life Refuge . . . . .         | \$1,500,000       |
| 1928. | Senator King's Bear River March Game Refuge, Utah . . . . . | 350,000           |
| 1929. | The Norbeck-Andresen Sanctuary Foundations . . . . .        | 7,875,000         |
| 1930. | The Cheyenne Bottoms Wild Life Refuge (Kansas) . . . . .    | 250,000           |
|       |   | <hr/> \$9,975,000 |

In view of the above, it would seem that no one can for one moment question either the judgment or the sincerity of Congress in the recent past, or its intentions for the future regarding the valuable wild life resources of the United States and Alaska.

And here at the beginning, I warn all critics that I have no criticisms nor complaints to register against Congress. None whatever. This is due to the fact that the writer has probably more first-hand information on this subject than any other writer in the field. Our wild life contacts with Congress began in 1888. This particular excursion into the Past is wholly a pleasure trip; and today the saving and increase of the wild life of this nation is no small matter, at that. I repeat that Congress never yet has voted down a good wild life bill, nor passed a bad one.

For the nineteenth century there is not much to be said. For the first three decades of this century there is a lot; and to some of us it makes very pleasant reading.

Between the years 1871 and 1876 Congress made several very determined efforts to save the bison millions from the senseless and disgusting massacre that then was in full progress. The first step was taken—and very promptly, too—on March 13, 1871, when Representative R. C. McCormick of Arizona introduced in the lower House of Congress Bill No. 157, which was printed and then fell into the discard.

On February 12, 1872, Senator Cole of California introduced in the Senate a resolution (which was passed by unanimous consent) directing the Committee on Territories "to inquire into the expediency of enacting a law for the protection of the buffalo, elk, antelope and other useful animals against indiscriminate slaughter and extermination."

Promptly on February 16, 1872, Senator Wilson of Massachusetts introduced a bill (S. 655) restricting the killing of buffalo upon the public domain.

On January 5, 1874, Mr. Fort, of Illinois, introduced in the House a bill (921) to prevent the useless slaughter of buffaloes in the territories, and to "impose a penalty on every man, red, white or black, who might wantonly kill buffaloes." This bill was debated at length, and pressed for passage. It was passed by the House, and on June 23, 1874 it was passed by the Senate, and sent to President Grant, in whose hands it was killed by a pocket veto.

In January, 1876, Mr. Fort again introduced his buffalo salvage bill. It was passed by the House, and reported to the Senate on Feb. 26, 1876; but the Senate failed to act upon it. This was the last effort in that period by the Congressional friends of the buffalo to give that species a measure of protection; and in 1884, the buffalo, as a United States "wild animal," became practically extinct.

In 1889, when Congress created the National Zoological Park it also created the first national bison herd of the United States; and the idea of saving and breeding in comfortable captivity herds of bison, elk, mountain sheep, goat and deer had much to do with the passage of the two acts of Congress that founded the National Zoological Park.



In 1894 Representative John F. Lacey, of Oskaloosa, Iowa, heard "the call of the wild." He became the first real Congressional champion of the causes of the wild birds and animals of the United States, in which service he presently became known as "The Father of Federal Game Legislation." His first service was in 1894 when he introduced and carried through Congress the Act for the protection of all the wild life of the Yellowstone National Park.

It was in 1900 that Congress first took up the white man's burden of protecting the game of North America against illegal traffic. In that year it passed Representative Lacey's often ridiculed bill to stop interstate shipments of game illegally killed; which means killed contrary to the laws of the state that produced them. The "Lacey Act" quickly became famous. It was rigidly enforced; and as a token of what Congress could do when to bird salvage inclined, it was hailed with joy.

In 1902 Congress granted, on the initiative of C. J. "Buffalo" Jones, an appropriation of \$15,000 for the purchase of 20 buffalo, to be kept in the Yellowstone National Park, as a federal show herd, and for breeding to help save the species from extinction. This is now the largest of our nine national herds.

In 1904 Mr. George Shiras, 3rd, of Pittsburgh, introduced a bill for the protection of all valuable migratory game birds—but alas! nine years elapsed before Congress passed the "Weeks-McLean bill." It went through as a rider to the agricultural appropriation bill, and it did everything possible at that time to protect all our valuable migratory birds, game and non-game. The long years of delay in the enactment of that legislation was due to the fact that the original bills provided protection only for the *game* birds, and left the non-game birds to shift for themselves. When at last (in 1912) the sponsors of the Weeks-McLean bill saw the impossibility of securing the passage of any bill for *game* birds alone, they included the non-game birds, and the bill was passed in 1913.

The leading members of Congress in the passage of the migratory bird law of 1913 were Representatives Geo. Shiras, 3rd, John W. Weeks, and Senators Geo. P. McLean, Knute Nelson, Geo. E. Chamberlain, Harry Lane and William P. Dillingham.

Some of the benefits of that measure were immediately registered. All the states were stopped from spring shooting, and all those in which "Bayne Laws" had not stopped the sale of game, immediately and automatically were reformed. And so were the states which previously had had no bag-limit laws. All these game killing abuses were at once checked, to a moderate extent, and before long there was a visible increase in ducks.

In 1905 the New York Zoological Society observed that the Wichita National Forest had been acquired from the Indians of Oklahoma, and at once proposed that a national bison herd should be created, and located in a fenced range of 14 square miles, on a site in the Wichita National Forest recommended by the Society. In return the Society offered to present to the federal government a nucleus herd of fifteen pure-blooded bison, and deliver them at the proposed bison range. Through the De-

partment of Agriculture this offer was promptly accepted; the Range was created, and in 1907 fifteen bison from the New York Zoological Park were delivered at the works. The herd thrived mightily, and in 1923 (before any bison were disposed of) it contained 146 head.

Meanwhile, in 1906 Congress embarked upon a scheme for a great series of "Bird Reservations," by enacting a law for their creation, protection and maintenance. This enabling Act has brought into existence 78 bird and game reservations, scattered all the way from Pelican Island, in Indian River, Florida, to Alaska. The lay-out of federal bird accommodations now range all the way from one-acre islets to the 160,000 acres in the Upper Mississippi Wild Life Refuge which Congress made in 1927 through the initiative of the late Will H. Dilg, at a total cost of \$1,500,000.

In 1918 the somewhat loose-jointed Weeks-McLean Migratory Bird Law was rooted and grounded upon an international treaty with Canada, which settled all questions of constitutionality, and enabled Congress to transfer to the Biological Survey of the Department of Agriculture a great collection of legislative powers (through annual "Regulations"), and also executive resources. Due to over-anxiety to please the hunters of game, the treaty regulations fixed a line of perfectly grotesque "maximum" bag limits and open seasons on migratory game birds. Apparently they were devised to give every one of our 6,000,000 hunters the "right" to kill—for a paltry state hunting license fee—just all the migratory game birds that he possibly could find, and bring down. As making for the serious protection of game, those treaty "maximum" bag limits and open seasons never were anything but a joke.

Came the feather millinery issue. In the House, the clause in the tariff act of 1913, stopping all importations of wild birds' plumage into the United States, was inserted by the House Ways and Means Committee, and passed before the feather millinery trade realized what was happening. Representative Francis Burton Harrison greatly aided that happy event. But in the Senate—oh man! what a fight was there! The best men of the feather millinery trade put up great opposition. And what was more serious, for a space of about six weeks, *we were whipped!* The Senate Committee on Finance referred our clause to a special Committee of three; which gave a Hearing, and rendered a decision against our clause. The party caucus voted to accept the report—and *strike out our clause!* Tableau.

And then there ensued a two hours' fight in that Caucus, in strict secrecy—and I would give as large a sum as \$25 to know just what everybody said on that occasion. We heard in the Whispering Gallery that Senators Chamberlain and Lane threatened to retire from the caucus if the feather millinery prohibition went out of the bill; and glory be! It did not go out. The commercial-plumage killers in Papua and the Gran Chaco had to be content with second money. But it was the most frightfully narrow margin we ever won by.

But these seductive birds too often cut in ahead of my regular story.

In 1907 the American Bison Society proposed to Congress a National bison range and herd, on the Flathead Reservation in Montana between Ravalli and Dixon, to contain 18 beautiful square miles of range, thor-

oughly fenced, at a cost to Congress of \$40,000. If made, it would be stocked with a nucleus herd of no fewer than 30 bison, as a gift from the Society. The Department of Agriculture was willing. The Senate passed the bill; the House balked, and appointed a conference Committee of three, to confer with a Committee from the Senate. It was then that I met for the first time Representative Gilbert N. Haugen, of Iowa—now a tower of strength in federal wild life protection. In the little hearing that his subcommittee gave us, he looked me squarely in the eyes and said (doubtfully):

"Will these proposed national buffalo herds ever yield any practical or economic value to the people of the United States?"

I firmly replied:

"No. They will not. Their value will be wholly sentimental. They will represent the very least that we can do to atone for some of our sins against the bison millions of the past."

There was a short pause. Then Mr. Haugen quietly said,

*"Well, that is all right."* And in a few days the bill passed.

The Bison Society spent \$10,000 in buying 38 fine animals from Mrs. Alicia Conrad's herd, at Kalispell, and the whole outfit has been a huge success.

In 1921 a bill of far-reaching consequences was drawn in the U. S. Biological Survey, and placed in the hands of the president of the American Game Protective Association to put through Congress. I do not intend to follow out its metes and bounds, or its meanderings. It was called by many names, such as "game refuge bill," "public-shooting-grounds bill," "marshlands conservation act," and so on. It proposed to raise from the pockets of bird hunters a huge annual sum of money, it conveyed vast new powers upon the Biological Survey of control over game and game hunting in the United States, and it formed of certain parties an invincible combine. Part of the lands to be purchased were to serve sportsmen as free public shooting grounds—or in other words public shooting clubs for a fee of \$1 per year as annual dues!

The "game refuges" to be established were convertible into public shooting grounds at the will of the Secretary of Agriculture.

After six years of most strenuous lobbying, by the largest lobby that ever entered the Capitol on any wild life matter, and after some success and many failures, Congress finally refused to enact that bill into law, and left it among the dead. It is a lively story of effort and conflict, but since the bill is dead, what is the use? In killing that detestable bill, Congress did a wise and patriotic thing, and Senators King and Dill, and Representative La Guardia bravely performed—with no thanks but ours—a painful and disagreeable duty. If that old bill had been enacted into law, I am sure that it very soon would have finished the remnants of the migratory game of North America.

In 1925 Congress passed an admirable new Game Act for Alaska, which had been sorely needed. There was no opposition.

On January 1, 1928, the outlook for the migratory game of North

America was mighty blue. In high bag limits, long open seasons, 7,000,000 hunters, 800,000,000 cartridges annually, millions of automobiles, and good roads, vanished cover, vanished food and universal "vermin," it seemed as if all the handicaps that the brains of men and of devils could devise were savagely bearing down upon the miserable remnants of game to exterminate them. The last solitary Heath Hen was pictured—literally—cowering in line for sudden death, on the Green farm, of Martha's Vineyard.

Really, on that New Year's Day the feathered game of the United States seemed beyond the reach of rescue.

And right then, the ill luck of the game changed, and things began to happen. To catalog them now is a great privilege and joy. The new events registered the change so swiftly that we were almost dazed by it. For a year we did not realize the full import of all that was happening; but on February 9, 1929 we did.

*It was the birth of a virile, militant, uncompromising wild-life-defending Congress, and darn the expense!*

But let us go back to the beginning of the story.

In January, 1928, Senator Peter Norbeck suddenly received an inspiration. He suddenly resolved to offer the Senate a bill that would provide for a great series of (about 125) inviolate and unconvertible sanctuaries for game birds and other birds, with no "shooting-ground" attachments, anywhere!

This electrified the whole Senate. There is now no possible doubt about that. The Senate took hold to pass a bill with Senator Norbeck's two innovations in it. Senators King, Dill and others insisted (1) that the bill should levy no federal hunting license (of \$1) on sportsmen, and (2) that \$10,000,000 should be *appropriated by Congress*, during the next ten years, to make the sanctuaries, and protect them for that period. An amendment to that effect was put into Senator Norbeck's bill.

On April 18, 1928 the U. S. Senate passed the bill—unanimously! "The like never happened before," said some people. "And it never can happen again," said others. But wait.

The Norbeck Sanctuary Bill—an entirely NEW measure if ever there was one—went to the House in April, 1928, but the House wisely held it over until the next Congressional session.

In May, 1928, there began to circulate some quiet talk about "amending" the bill. In the autumn that talk became more definite, but still it kept under cover. What was the stature of the colored gentleman in the woodpile? Presently it all came out.

When, in December, 1928, Secretary Jardine made his report to the House on the Norbeck bill, he very pointedly advised that Section 17 be "deleted," or else amended in such a manner that there could be no cooperation in game law enforcement, between the nation and any of the states, *with federal assistance derived from the Sanctuary bill!* In other words, Secretary Jardine demanded that all the money ever accruing from the

bill should fall into the hands of the U. S. Biological Survey for expenditure. Fine and noble!

To save the bill from being defeated by delay in the turmoil of a short session of Congress, the Seventieth Congress HAD to bow to the ultimatum of the Secretary of Agriculture of that day, and cut out the possibility of real and effective state cooperation to secure "better law enforcement"—which is one of the Big Things "the opposition" has been howling about.

The income for the benefit of the bill was arranged to become payable in ten annual installments during the next ten years, to a total of \$7,875,-000. And on that basis the Norbeck-Andresen bill was passed by the House, *unanimously*, on February 9, 1929, and signed by President Coolidge on February 18.

The passage of that bill was a miracle, and nothing less. It was the swift and dramatic accomplishment of the utterly impossible. It was all due to an outburst of sentiment and impulses from within the two Houses of Congress, like the earth-hidden boiling water that finally bursts upon the world as a geyser. Yes; naturally, it did astonish those who were at the geyser's rim, and on watch, but those in the body of the House have not yet come to life on that happening. It was so trivial (?) that the newspapers gave it only a dog-fight amount of notice. And the chief boosters of the aged and defunct "game refuge bill" stoutly mentioned that sacred name of their dead bill, and in the next breath said, "Congress passed it." The old game refuge bill resembles the "sanctuary bill" just as much as an East African baboon resembles a bishop, but no more. This is for remembrance.

Of the next queer happening, Congress was the innocent cause. It was grimly humorous, but welcome as far as it will go. When two Strong Men of Congress (Senator McNary and Representative Haugen) calmly decided that it was their duty to introduce and press for passage a bill to reduce bag limits on migratory game, and dropped their joint measure into the hoppers of the Senate and the House, the Secretary of Agriculture came to life. At once Secretary Hyde announced to "the press" (on December 31, 1929), that for "the next season" the bag limits on all waterfowl would be reduced to 15 ducks per day, 4 geese per day, and the possession limits would be 30 and 8 respectively. This reduced the existing high bag limits in all of the 19 states that had been standing pat on their 12-year-old killing privileges.

At present we will not dwell upon the reasons underlying that last-minute repentance and reform, but we will at least look that gift horse in the mouth. For "the next season" at least, let us enjoy the bounties the gods see fit to bestow. Some people say: "Do not worry. The Department of Agriculture never will go back to the old bag limits." This reminds me of the Jacksonville policeman's comforting assurance to Mrs. Hornaday about her lost hand-bag: "You will probably get it again; and you probably won't!"

We have already mentioned the "8 brant" geese per day that last September were slipped into the Federal Hunting Regulations for the

benefit of "sportsmen" who wish to kill 12 geese per day—which is twice as many as any hunter can carry. This bad break should hasten the passage of the McNary-Haugen Bill!

*Senate Special Committee on Wild Life Resources.*

On April 17, 1930, the Senate passed the Hawes-Walcott resolution of April 11, providing for the appointment by the President of the Senate of a committee of five Senators "to investigate all matters pertaining to the

#### CONNECTICUT



SENATOR FREDERIC C. WALCOTT  
Chairman of Senate Committee on Wild Life  
Resources.

replacement and conservation of wild animal life (including aquatic and bird life) with a view to determining the most appropriate methods for carrying out such purposes." The sum of \$20,000 was provided for expenses. The President of the Senate appointed as the members of the Committee Senators McNary, Norbeck, Walcott, Pittman and Hawes. The Committee elected Senator Walcott as its Chairman and Senator Hawes as Vice-Chairman. Mr. Morris Le Gendre was appointed Secretary to the Committee. The enabling resolution provides for "a report to the Senate as soon as practicable, but not later than the beginning of the Seventy-second Congress" (December 1, 1931).

One of the last important conservation acts of the first session of the 71st Congress was one providing \$250,000 as one-half of the purchase

price of the Cheyenne Bottom Lands of Kansas, the other half of the purchase fund to be supplied from other sources. Of course that foundation is to be developed as a wild life sanctuary, a consummation long desired by the people of Nebraska, Kansas, Iowa and Missouri, for the general good.

\* \* \* \* \*

And thus closes, literally in a blaze of glory, and with a vast bulk of public thanks due to three Presidents and Congress, the checkered and turbulent decade from 1920 to 1930. The wreckage of the great breakdown in eastern "conservation," which for seven years bid fair to destroy the future of the migratory game of the nation, has been mostly cleared away, and the broken bridges have been repaired. All is not lost! There is yet a fighting chance that by more fighting some more worth while salvage can be accomplished. But there are other dangers to be met outside the field of wild life. Let there be no mistake about that. The National parks must be defended; pollution must ALWAYS be fought; and all endangered wild species of interest and value to man must be defended as the dangers demand.

If the Average American Citizen cares anything about "game" and "sport," then he should note the fact that the sportsmen are *not* "saving the game," that hunting is increasing each year by leaps and bounds, that many kinds of mean advantages are being taken of the game remnants by the worst of the game-killers, and that it is supreme folly to think that game can be shot by 7,000,000 hunters, and "saved" by a comparatively trivial amount of farm breeding, "restocking" (at \$3 per stock), feeding (in a few states only), and the killing of a very few pest birds and mammals.

As matters stand at present, the only thing that will stabilize this sad situation is quick and forceful action by Congress, and first of all things the absolute stoppage of some of the annual killing that now is going on. The old fetish of unlimited "free hunting" for everybody must positively be destroyed!

## CHAPTER XXXII

### LEADERS WHO HELPED TO WIN THE BAG-LIMIT WAR

At this point our car of progress hesitates and threatens to break down. The load that should be carried is quite beyond its capacity. Already we have handled enough of the human documents in the case to know that in the space at our disposal it is utterly impossible to do justice to this branch of our subject.

But we are not wholly delinquent. In "Our Vanishing Game" newspaper No. 2, of March 15, 1924, we set forth two columns of names entitled to honorable mention for enlistments in the bag-limit reduction campaign on the side of Retrenchment and Reform. There were lists of helpful newspapers, supporting magazines, battling leaders, allies, endorsers in commissions, societies, institutions and clubs galore, to the end of a long and thrilling chapter. Other credits were published in "Plain Truth" No. 2, 1929.

I think that Our Side will agree that I have qualified on my desire to credit the personnel of our forces, and it is not necessary to repeat the published statements referred to above. It is, however, incumbent upon us to record herein the names of the men and women who worked longest and hardest in prosecuting our campaign, with good facilities for getting results. It is not every campaigner who is equipped by circumstances for gaining the maximum of the objectives. The best that we can do is to do the best we can according to our means.

The hard fighting over federal bag limits on migratory game began on December 12, 1923, at one o'clock P. M., Washington time. The opposition forces had carefully prepared for it; and there was no preliminary skirmishing. The Biological Survey and its circle of defenders had decided that our cause must be completely destroyed. With the savage adverse vote of 17 to 2 by the Advisory Board, involving all of the interlocking directors of the "conservation" organizations backing the old public-shooting-grounds bill, the battle was on. It lasted continuously until December 31, 1929, when the citadel of the enemy blew up, unconditionally, in a federal proclamation of surrender that was approved by the President of the United States. That was the longest fight ever made in America for a wild life cause; but it was not so fierce or so bitter as the fur-seal fight.

Just how many franc tireurs are now hidden away in the woods of the Atlantic Coast strip, and how much bushwhacking will be tried in the future, only the devil knows; but if the *real* conservationists and the best of the sportsmen, backed by a Congress always loyal to wild life, are not able to hold the winnings, and properly complete the victory, why then the future outlook for guns, ammunition, supplies, dogs, boats, cars and sport will be worth just about thirty cents per capita. Even the exploiters of game cannot eat their cake and have it, too.

It is useful, and well worth while, to now devote a chapter to a glimpse

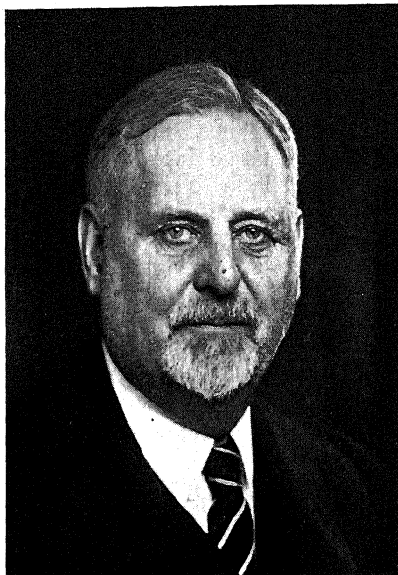


## COLORADO



JOHN A. MCGUIRE  
National Leader in progressive game  
conservation.

## NEW YORK



EDMUND SEYMOUR  
Chairman National Committee of 100.  
National Leader in game-killing reforms.

of the forces aroused and made effective in the fight for universal federal bag limits in the 19 uncompromising states. This is a duty, as well as a profound pleasure. Incidentally, it will show how a few bold men who work, and never give up, can arouse and rally whole armies of gallant fighters who know how to campaign independently.

Elsewhere in this devoted volume, I have given some space to the Opposition—partly for the thrills of surprise it will give the reader. I think that by now the reader has noted the fact that men, money, machinery, official power, and a long list of other forces have been, and are yet, fighting in the ranks of the defenders of wasteful and wicked killing.

The field of operations of the intensive bag-limit campaign was surveyed in the summer of 1923, and the high points of the terrain were marked out. General J. A. McGuire, owner and editor of *Outdoor Life*, Denver, whose influence even then covered the western half of the United States, immediately espoused the reform cause, and as early as August, 1923, led into the campaign a magnificent Army of support. Without him and his great following of western and Pacific Coast sportsmen the fight could not have been won.

In October, 1923 (at the beginning), Mr. A. N. Pack joined our cause with a gift page in *Nature Magazine* for our warning manifesto. The People's Home Journal, through Mr. Moody B. Gates, took up our

## CALIFORNIA



JULES P. CUENIN

California's Foremost Defender of Game  
and Sport.

## OREGON



R. J. KIRKWOOD

Pacific Coast Leader in game protection.

cause and for a whole year diligently broadcast our warnings and demands to its grand army of readers.

As early as 1924, under the leadership of George C. Atwell, the State Audubon Society of New Hampshire enlisted on our side and has continued to support the whole reform movement.

In quick time *Parks and Recreation Magazine*, under the fearless leadership of Will O. Doolittle and Paul B. Riis, gave us for six years powerful and continuous support. Gallant Will H. Dilg gave us space in *Outdoor America*, and featured our cause most effectively at the third annual convention of the Izaak Walton League (with a unanimous vote for a bag limit of *only* 10 on ducks). In April, 1924, through Mr. James E. West, *Boys' Life Magazine* devoted two pages and many illustrations to our cause. On December 1, 1923, we issued *Our Vanishing Game* (newspaper), No. 1, and on March 15, 1924 No. 2 appeared.

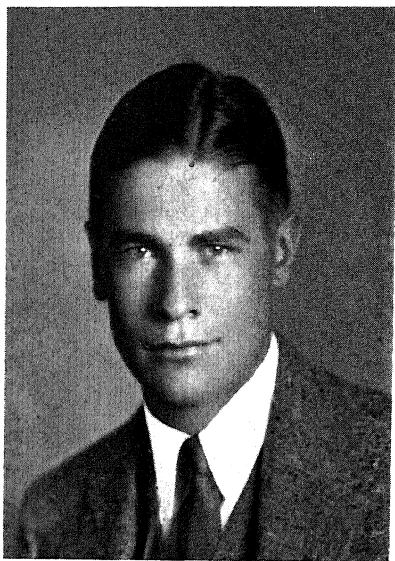
At a critical moment in 1925, when the enemy had captured the Camp-Fire Club, and the sledding was of the hardest, Mr. Edmund Seymour said to that erring Club, "Gentlemen, we will meet you in Washington!" With indomitable courage he took a laboring oar, and threw into the bird-salvage campaign the National Committee of One Hundred, which scored heavily. Without the Seymour army we would have been overwhelmed! The labors that Mr. Seymour put forth, the sacrifices that he made, and

## OKLAHOMA



STATE SENATOR GID GRAHAM  
Originator Oklahoma's new bag-limit law

## COLORADO



HARRY MCGUIRE  
Leader in game-law reforms.

the hard fighting that he went through to victories would make a thrilling chapter of their own.

For that campaign as it was waged in 1923, '24 and '25, the cordial sympathy of the newspaper and magazine press was fully registered; and all that was of immense value. Heaven help the conservation cause that the press will not support; for surely it will need help from above—to counteract the opposition from below.

To awaken 1,000,000 people is at all times a task for men. To convince even 1,000,000 good sportsmen (i. e. all there are!) that they should stop half their killings, is a Tough Job. I hate all such jobs; but when I was younger I could not amble off to the golf links or "the movies" to enjoy myself, leaving the birds of the nation to go down and out before the *millions* of guns. Besides, with such encouragement as the following samples of many such, who could fail to go on?

## SAMPLE EDITORIAL EXPRESSIONS

## ARE GAME BIRDS TO GO?

New York *TRIBUNE*, November 1.

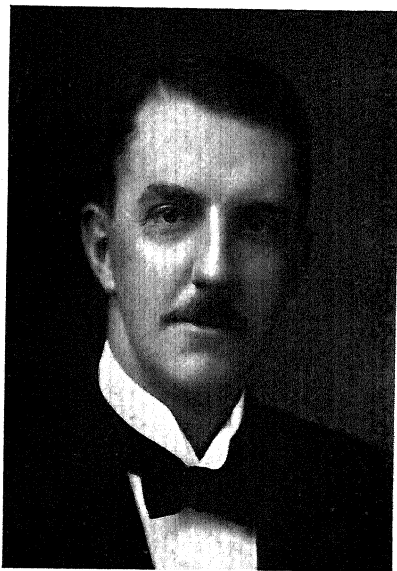
The good sportsmen keep their shooting within decent bounds. Unfortunately the laws do not restrict the game hogs as they should. The automobile has given seven-league boots to the hunters, with the consequence that they can fill their bags to the limit without difficulty. The remedy proposed by Dr. Hornaday is to reduce all game killing 50 per cent. by reducing bag limits and open seasons to that extent. This would be a drastic curtailment, but if it is necessary to choose between the

## MISSOURI



ARTHUR D. HOLTHAUS  
Leader in game protection.

## MASSACHUSETTS



CLARENCE W. ROWLEY  
Leader in game-killing reforms.

greed of the selfish hunters and the life of bird species, the duty of the legislators in all the states is plain. The game laws must be revised to meet the automobile and the pump-gun peril.

## HUNTING BY AUTO

New York *TIMES*, September 5.

There are game-hogs, just as there are road-hogs, seat-hogs, and other varieties of utterly selfish humans. These people take a savage delight in killing for its own sake. Their interest is neither the chase nor the skill, but only the bag, and the bigger the bag the greater their satisfaction. It is such as they who will hurry from one likely field to another many miles away in order to make a "record kill" in a single day. They are the ones who welcome pump guns and automatic shotguns, and who will kill more even than they can carry.

Dr. Hornaday's solution will sooner or later have to be adopted—to shorten the hunting season and halve the bag limits at present in force. If to this can be added some curb on the use of the flivver for hunting, another important step in game conservation will be achieved. Unless some such protection is given the already depleted reserves will soon be almost entirely annihilated.

## THE AUTOMOBILE AND GAME

New York *AMERICAN*, November 4.

When the hunter has to trudge to the wilds, carry his gun and bag his game himself, the animals have a fair chance, but when the automobile is used, and besides this the repeating shotgun and long-range rifle, a staff of guides and assistants and all such things, the whole business ceases to be a sport and ranks along with running a slaughter house.

The game-hog and the wholesale butcher in the sport field deserve the contempt of all true sportsmen.

## NEW YORK



WILLIAM NESBIT

Leader in National Committee of One Hundred.

of woodland that heretofore were protected by their very inaccessibility. These four factors, and others as well, all unite to make the force which is swiftly operating to convert this pleasant land into a desert devoted to forests of chimneys and rivers of millponds.

*The Response of the States:* The general awakening to the bag-limit reduction necessity was most gratifying, and a great encouragement to go on. Ever since the beginning of the campaign in 1923, there had been a steady outpouring of practical results. In 1920 there were only 11 states that had recognized the growing scarcity of waterfowl, and reduced their bag limits below the federal figures, to diminish the annual killings, and save more ducks and geese for breeding purposes. By 1925, 8 more states had reduced; and by July 1, 1929, 10 more had joined the reform. *That made 29 in all!* But were those 29 reforms made by "swivel-chair enthusiasts," "superannuated ex-sportsmen," "idealists" or "fanatics"? No! They were made by the State Game Commissioners, the masses of organized sportsmen, and the willing law-makers of those wide-awake states!

And still there were professional "conservationists" who kept railing out against all this, and playing a part like that of Mrs. Partington striving with broom and mop to push back the Atlantic Ocean. The American Wild Fowlers Society was founded by Charles Sheldon and John C. Phillips specifically to "back up Nelson"; and President T. Gilbert Pearson leads the National Association of Audubon Societies regiment in defense of bureaucracy and big killings.

AMERICA'S VANISHING GAME  
*CHRISTIAN SCIENCE MONITOR*,  
 November 9.

The world is little by little being aroused to a realization that radical steps must be taken to offset the unwarranted waste which is being countenanced in many directions. Efficiency methods have been employed to achieve such results in mechanical and similar activities. It is high time that something should be done definitely to stop the appalling waste of natural products and wild life. One does not enjoy a prospect such as Dr. Hornaday has presented to the public, but it is impossible not to recognize that it is not an exaggerated one, and that unless something is done soon it may be too late.

## THE ONLY WAY

New York *GLOBE*, August 27.

Dr. Hornaday only voices knowledge common to many people. Multiplying population and growing industries are of necessity greatly reducing the area of virgin territory necessary for the support of the native flora and fauna. Modern firearms, with their vicious perfection, slaughter as much in a few minutes as the old rifles could in a day. The automobile is opening up vast tracts

## LEADERS IN BAG-LIMIT REFORM

Each leader who enlisted in that 7-year's bag-limit war deserves to have his name stand No. 1 in this appreciation. In every unpopular cause, as this one was here in the East, it is those who dare to enlist early who are entitled to the pioneer monuments. Three chapters would be none too much for this enumeration; but we cannot ignore the limitations of space. The reader is invited to imagine the honorable mentions in extenso that should be made with these names.

## A FEW LEADERS IN THE BAG-LIMIT CAUSE

*John A. McGuire and Harry McGuire*, Editors and Publishers of *Outdoor Life*, which was the first magazine to print our original "Call to Sportsmen," in August, 1923, without whose powerful and continuous support our cause could not have won.

*Dr. William A. Bruette*, Editor of *Forest and Stream*, did 5 years of gallant and forceful work for the causes of the migratory game birds.

*Arthur Newton Pack and J. S. Ridsdale*, respectively owner and editor of *Nature Magazine*, immediately published our "Call to Sportsmen," in 1923, and are keeping up the fight today.

*Edmund Seymour*, of New York, Chairman National Committee of One Hundred and President of American Bison Society, without whom we would have been overwhelmed by the opposition.

*J. N. Darling*, "Ding," the Cartoonist, Des Moines, is a tremendous force in wild life defense, and in his 120 newspapers has aroused millions of people to the perils of American game. Influence incalculable.

*J. P. Cuenin*, Editor "Rod and Gun" in San Francisco *Examiner*, for 6 years led our course in California. A bold and tireless leader.

*William Nesbit*, Secretary National Committee of One Hundred, and a valuable leader.

*Clarence W. Rowley*, Vice-Chairman National Committee of One Hundred. Diligent in service.

*Arthur D. Holthaus*, St. Louis, who for 6 years forcefully worked for our cause and gave four months of service in Washington as our representative before Congress.

*Will O. Doolittle*, Editor *Parks and Recreation Magazine*. Secretary of the American Institute of Park Executives, instantly enlisted and rendered years of valuable service.

*Paul B. Riis*, Chairman Conservation of Wild Life, of the Institute of Park Executives enlisted early and gave continuous service.

*Moody B. Gates*, Editor of the *People's Home Journal*, made an amazing effort for private sanctuaries, and bag-limit reductions.

*William C. Gregg*, Hackensack, N. J., a fearless and persistent worker for national parks and wild life.

*James E. West*, Editor *Boy's Life Magazine*, and General Secretary, led the Boy Scouts into the Army of Defense.

*Will H. Dily* (deceased), Editor *Izaak Walton League Monthly*, Founder and First President of the Izaak Walton League, who led the League into our cause in 1924.

*N. R. Huff*, President Southern Illinois Sportsmen's Association, was a valuable ally.

*Winthrop B. Chamberlain*, Editor of the *Minneapolis Journal*, Minnesota, a staunch champion of imperiled wild life.

*David Pritchard*, Editor of the *Pennsylvania Sportsman*, heartily supported our cause.

*R. J. Kirkwood*, Editor of *Western Out-of-Doors Magazine*, Portland, Oregon, was a valued leader for our cause in the northwest.

*W. E. Bettridge*, Izaak Walton League, Toledo, Ohio. A valuable ally.

*Fred Fletcher*, Izaak Walton League, Toledo, Ohio.

*Senator Gid Graham*, while in the Oklahoma Senate, initiated, framed and led to triumphant passage a fine new game act for Oklahoma, and for years has been a tireless promoter of game-hunting reforms.

*Ray O. Weems*, now Editor *Western Wilds and Waters*, was Senator Graham's ablest ally in putting over the new law, and today exerts fine influence in a wide field.

*Dr. Albert Shaw*, Editor of the *Review of Reviews*, New York.

*Thornton W. Burgess*, Burgess Nature League, Springfield, Mass.

*George Bennett* (deceased), Editor *Iowa Conservationists*, Iowa City.

*Mrs. Cyrus C. Marshall*, Chairman, New York City Federation of Women's Clubs' Committee on Conservation. A tireless worker.

*Mrs. Harriett Williams Myers*, President, California State Audubon Society.

*Mrs. J. S. Scovel*, State Leader for Michigan, Ann Arbor.

*Robert E. Dandon*, Louisville. Sports editor, *Herald-Post*.

*Mrs. Georgiana K. Holmes*, President Holmes Nature League of Summit, New Jersey.

*M. Hall McAllister*, California Academy of Sciences.

*Thomas M. Galey*, Conservationist at Large, of Independence, Kansas.

*George C. Atwell*, Secretary New Hampshire Audubon Society.

*Edward Howe Forbush* (deceased), Massachusetts State Ornithologist, Boston.

*Aldo Leopold*, New Mexico State Sportsmen's Association.

*Ernest Napier* (deceased), President New Jersey State Game Commission.

*James Henry Rice, Jr.*, Wiggins, South Carolina.

*Professor T. C. Stephens*, Morningside College, Sioux City, Editor of *The Wilson Bulletin*.

*Professor George B. McDonald*, Iowa State College, Ames.

*Dr. L. H. Pammel*, Iowa State University.

*Professor Homer R. Dill*, Iowa State University.

*Mrs. Florence B. Whiteley*, National Federation of Women's Clubs.

*Colvin Farley*, Secretary Westchester Wild Life Protective Association, New York.

A. L. Scott, in the Legislature, Pittsburg, Kansas.  
 J. C. H. Reynolds (deceased), Spokane, Washington.  
 Diedrich Lange, St. Paul.  
 Dr. A. E. Weaver, Boise, Idaho.  
 William D. Young, Seattle, Washington.  
 William L. Finley, Portland, Oregon.  
 E. L. Perry, State Game Commissioner, Santa Fe, New Mexico.  
 Judge Lee Miles, Little Rock, Arkansas.  
 William Lincoln Shearer, Wellsboro, Pa.  
 James Spear, Jr., Philadelphia, Pa.  
 Harry Briggs, Houlton, Maine.  
 J. M. Scoville, Secretary Colorado State Sportsmen's Association, Walden.  
 Coleman Randolph (deceased), San Antonio, Texas.

#### "OUTDOOR LIFE," MIDWESTERN CHAMPION OF GAME CONSERVATION

The position of Mr. J. A. McGuire and his son Harry McGuire, respectively Editor and Assistant Editor of *Outdoor Life Magazine*, as early as August, 1923, placed the most forceful and important American magazine for sportsmen squarely on the side of bag-limit reform. The influence of that publication pervades the whole middle area of the United States, and spreads to both our ocean coasts. Its circulation in New York City and vicinity is very large; and in view of what it is doing for militant and constructive conservation, it is no cause for wonder that its readers support it with loyalty and enthusiasm.

In 1926, the bag-limit fight with the horde of Eastern defenders of killing privileges became very hot. The enemy was winning away our support. In Congress we were not making any real headway. And then it was that we engaged a man, and sent him to Washington to offset the huge lobby of the game-refuge bill, which was bitterly hostile to our cause. That move was a wise provision of nature; and it bore excellent fruit.

In 1926, Mr. McGuire made an investigation of the sentiments of 1,000 representative men in his grand army of sportsmen, on the bag-limit issue—to be, or not to be. The result was an astounding vote of confidence in *Outdoor Life's* editor, and in the merits of the bag-limit cause. A surprising number of sportsmen voted for a duck bag limit of 10 birds per day, or below! The figure 10 was what the second annual convention of the Izaak Walton League (1924) insisted upon voting for, almost unanimously, in spite of the advice of President Dilg and William T. Hornaday in behalf of 15.

I think that no magazine ever gave to any wild life cause as strong, as continuous, and as powerfully effective support as *Outdoor Life* gave to the bag-limit reform cause from 1923 to 1930. When in 1927 the duck-census scheme of Chief Redington stalled wildfowl conservation for "a term of years," Harry McGuire firmly denounced the stalling and its author; and they both deserved it! The hold-up of the Copeland-Merritt bill was deplorable. And today we fully endorse the criticisms of *Outdoor Life* on the atrocious wild-life poisoning operations of The Survey.

But for the tremendous support of *Outdoor Life*, it is highly probable



that the enemy would have beaten us—or at least that the triumph of our cause would have been long delayed.

Ever since the date of its first issue, more than thirty years ago, *Outdoor Life* has been a champion of fair play and clean sportsmanship. It is now, always has been, and always will be, a *sportsmen's* publication, devoted to the mutual and analogous interests of the sportsmen and wild life of this great country of ours. Mr. J. A. McGuire's manifesto of January, 1927, addressed to "American Sportsmen," deserves to rank as a classic in wild life protection literature. It is enough to inspire even the most careless sportsmen to enlist in the protection cause, and carry on.

"For years," says editor J. A. McGuire, "we have been witnessing a marked diminution in the supply of migratory birds, and urging sportsmen, game commissioners and conservation societies, both state and national, to lend a helping hand toward a betterment of conditions, that these feathered friends may exercise their God-given right to exist and propagate their species for posterity. We owe it to them, to ourselves, and to those who shall follow after us."

Said Mr. Harry McGuire: "*Outdoor Life* claims for itself only that it has straddled no fences, and shrunk from no unpopularity in questions involving the best interests of the average sportsmen. We have for years continuously kept the full facts of the case before every Senator and Representative. Mincing no words, we have given a fearless analysis to the press and public, but it is the voice of an aroused and unified sporting public which, after all, has this latest achievement to its credit."

In pursuance of the above unassailable principles, Harry McGuire assumed the task of editorially supporting the cause of true conservation, and opposition to wasteful and exterminatory killing. With no malice toward anyone, but with unflinching determination to do a man's whole duty to the imperiled game birds of North America, he resolutely attacked the stand-pat policy of the U. S. Department of Agriculture, and its scheme for counting or estimating the wildfowl of the United States twelve times a year for "a term of years." His editorials of criticism and protest were severe, but justified by circumstances. The sportsmen of the Middle West stood as firmly as the Rock of Gibraltar for sane reforms, and some measures of real conservation.

In support of our three causes (bag-limit reform, opposition to the old "game refuge bill" and support of the Norbeck bill), Mr. McGuire wrote, and illustrated in *Outdoor Life*, the following full-page editorials, all of high practical value to migratory game, to sport, and to wild life in general:

"Our Vanishing Ducks."

"Sister, Count the Ducks."

"Quack Nostrums."

"Verboten."

"Open Season 'Slaughter.'"

"The Essence of Conservation."

"The Fable of the Norbeck Bill."

"Progressive Duck Protection."

"Buncombe for the Public."

"An Open Letter."

"Pass the Norbeck Bill."

"Sportsmen! Get Behind the  
McNary Duck Bill."

"The Duck Hog's Last Season."

"Victory."

"Poison."

"The Last Stand of the Bear."

*Outdoor Life's Battle for the Bears.*

It seems odd that anyone should feel called upon to make a campaign in defense of the rights of bears; but this is the day of queer developments. About twenty years ago the American and Canadian ill treatment, and lack of fair treatment, of North American bears led a great sportsman and bear-hunter to lay aside his coat, and enter an arena of his own making to do battle for the natural rights of bears. That gallant knight was Mr. J. A. McGuire, of *Outdoor Life*.

Mr. McGuire at once put up a sweeping demand that all bears should have a close season during their disposition of certain family affairs, and during the horribly "unprime" condition of their skins. This virtually embraced all the months of spring and summer. And the champion objected to the trapping of bears; in which objection we heartily concurred.

At the beginning of the bear crusade only two states, Pennsylvania and Louisiana, had bear protection measures on their books. Now, nearly 20 states have laws protecting the bear. Many years ago Mr. McGuire drew a bill which has been the inspiration for practically all of the bear legislation on our books at the present time. It provides open and closed seasons for black and grizzly bears, forbids the use of the steel traps for their capture, limits the number that may be taken in a season, and forbids the killing at any time of bear cubs under one year of age.

That looks like glory enough for one bear-hunter; and in one sense it is; but today we find *Outdoor Life* in the front line of the defenders of the big brown and grizzly bears of Alaska on their home grounds, where the two species cannot be told apart without a medical examination. By a few persons acting in behalf of the infant sheep and cattle industries alleged to exist in Alaska, the "extermination" of those *wonderful* big brown bears has been demanded. In 1930 the proper status of the Alaskan bears was in a state of uncertainty. The U. S. Biological Survey has asserted that they are "adequately protected by the regulations of the Alaska Game Commission," and many interested persons claim that they were not. The weight of evidence seems to be on the side of the bear-defenders. One thing, however, is very certain; and that is, that the American people NEVER will stand for any "extermination" business in Alaska, and the more quickly that fact is accepted as an axiom, the better.

At this interesting juncture, a new champion has appeared to defend the rights of the brown bears. Mr. John M. Holzworth has mixed up with about 300 wild brown and grizzly bears in their haunts, mostly while they were fishing, and has actually photographed about 150 of them, some of them at fearsomely close range, without ever a devastating "attack," or an accident of any kind. Mr. Holzworth has proven conclusively that when the big brown bear is not attacked for killing purposes, he leaves his human neighbors to run in one direction while he speeds up in quite another. (See "The Grizzly Bears of Alaska," Putnam, 1930.)



*At a Meeting of the Council of the  
Royal Society for the Protection of Birds,  
held on October 13<sup>th</sup> 1917, at the Guildhall, Westminster:*

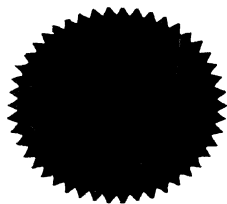
**Resolved:** That the Gold Medal of the Society be  
awarded to **Dr. William T. Hornaday**,  
Director of the New York Zoological Park, President  
United States Junior Naval Reserve, Vice-President  
United States Army League, in recognition of the  
great services rendered by him to the cause of Bird-  
Protection, especially in promoting the International  
Treaty between Canada and the United States of  
America for the Protection of Migratory Birds;  
and That the best thanks of the Council be tendered  
to him for the ability and untiring energy with which  
he led the movement in the United States together with  
their congratulations on its successful issue.

*W. D. Sharpe*

*Chairman of Council.*

*Frank E. Lemon,*

*Hon. Secretary.*



## CHAPTER XXXIII

### COMPENSATIONS

As already intimated, during the past thirty-two years I have waged persistent warfare on the culpable destroyers of wild life, who were destroying greedily, selfishly or wastefully. Being reasonably safe against the machinations and secret attacks of the fighters who seek to silence honest criticism, or to curb too great zeal in protecting wild life by "having him discharged," I have gone ahead without fear of consequences to myself. All the men who have sought to silence or destroy me by the exercise of secret "influence" have taken second prizes.

During those thirty-two years I have worked like a galley slave at the Thankless Task. To any human being who labors long in promoting causes for the benefit of man, or nature, without any extra bread or butter therefor, intelligent appreciation is one line of compensation that is not to be waved aside nor despised. The sense of duty done is of course the great reward; but I admit that I have also welcomed, and thoroughly enjoyed, all the expressions of appreciation that have come to me. At the same time, I have also noted the absence of some things that became due, but never were received! With many people it is a rule to give no "outsider" credit for anything; and even today many a once-valuable public servant sleeps in an unmarked grave.

Yes, glory be! I have had some Compensations. People living outside the circle of hostility that partly environs me have done many nice things to show that they see and understand what I am driving at, and approve some of the things that I have done, or helped others to do. From first to last, I have given appreciations to many persons, and now it is a pleasure to set forth here a brief story of my rewards for services rendered to the wild life cause. Simultaneously, I think of Pittsburgh, Paris, London, Yale and Iowa; but obviously, the order of presentation must be in partial chronological sequence.

In 1906, Dr. W. J. Holland, Director of the Carnegie Museum, decided that I should receive from the University of Pittsburgh the honorary degree of Doctor of Science (Sc.D.); and because I was doing my best to recover from a severe illness, the honor was received by proxy. It was tremendously welcome; and at once I resolved to do my best to live up to it.

In 1914 the Societe Nationale d'Acclimatation de France, which is the same as the French National Zoological Society, generously saw fit to award to me its "Grande Medaille Hors Class, bearing the effigy of Isador Geoffroy St. Hilaire," which is the highest honor it ever bestows for services. It was inscribed for the "Protection of Birds"; and it was given to me for my services to birds in the campaign for the Weeks-McLean Migratory Bird law of 1913. It was received for me by our Ambassador, Myron T. Herrick, at the American Embassy, from delegations of officers representing the Acclimatization Society and its ally, the French National League for the Protection of Birds.



GRAND MEDAL OF THE SOCIÉTÉ NATIONALE D'ACCLIMATATION DE FRANCE, FOR THE PROTECTION OF BIRDS. 1913

This glorious medal from France gave me and mine one of the greatest thrills of our lives. In the designing of medals and decorations, and in their bestowal as rewards for services, the French are unequalled; and we Americans are in comparison mere amateurs.

In 1916 I had the great honor of being invited to deliver before the Yale College of Forestry a course of five lectures on "Wild Life Conservation in Theory and Practice," which Dean Toumey caused to be published in book form by the University Press.

In 1917, at the Commencement, President Arthur Twining Hadley bestowed upon me Yale University's *honoris causi* degree of Master of Arts, with a generous expression of approval of my efforts in the fields of zoology and wild life protection. The encouragement value of that honor was very great, and it put upon me another burden of duty in the line of making good. This Benefit was due to the generous initiatives of Professor James W. Toumey, Dean of the College of Forestry, and my dear friend, William Edward Coffin, of New York.

On October 19, 1917, like a bolt out of the blue, came the bestowal, at its annual meeting, of the gold medal of the British "Royal Society for the Protection of Birds." Its diploma declares that it was bestowed "in recognition of the great services rendered by him to the cause of Bird Protection, especially in promoting the International Treaty between Canada and the United States in the Protection of Migratory Birds." The diploma and the medal are both shown herewith, as examples of good works. The tremendous thrill of this award was intensified by the bestowal of the same honor, for the same reason, upon my great friend and colleague, Dr. C. Gordon Hewitt, Consulting Zoologist at the Canadian Commission of Conservation.

But at this point we must turn back to the records of 1912 and '13. In those two years our wild life protection work received a vote of con-



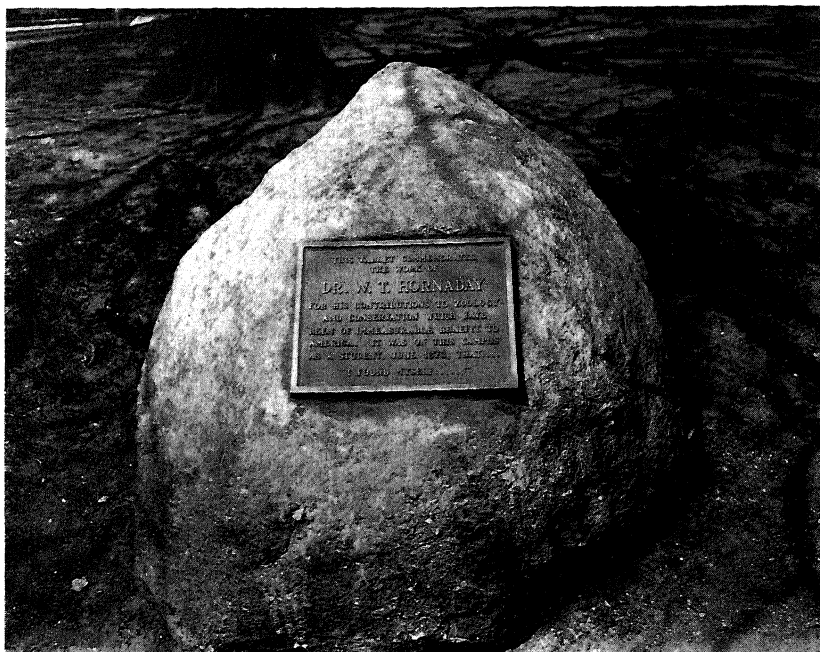
GOLD MEDAL FROM THE ROYAL SOCIETY FOR THE PROTECTION OF BIRDS. 1917

fidence, in the founding of the Permanent Wild Life Protection Fund, which was enough to put nerve into the right arm of a mummy. By a very few persons, only 70 in all, the sum of \$105,000 was subscribed as an endowment fund, to finance by its income *our* lines of wild life protection endeavor. The fund was invited (1) to relieve the Zoological Society of a really heavy annual burden (2) to relieve the Society of all embarrassment in defending me, and (3) to give me a fixed income for my campaigns, without any more tiresome canvassing for money. The story of this Fund is told in a chapter of its own, and need not be dwelt upon here—but the huge endorsement it perpetually bestows is a great moral asset to the causes that it promotes, and a spiritual uplift to its Campaigning Trustee.

In 1920 His Royal Highness Albert, King of Belgium, was pleased to say to me, "I shall send you a Decoration." He did so; and it was the Cross of the Order of the Crown of Belgium—the premier decoration for civilians. I think it was chiefly for services rendered to Belgium by Mrs. Hornaday and me during the war (1914 and '15, in particular), and after the war. Those services—which represented the utmost that we could do in Belgium's days of greatest need—never have been forgotten by the Belgians of New York; and I think that no people on earth are more grateful than they. Albert, King of the Belgians, always was, and ever will be, "every inch a King"; and we have been everlastingly proud in possessing this glorious Decoration from so royal a man.

We have the first Gold Medal for Distinguished Services awarded by the Camp-Fire Club of America (1906) which was bestowed "For his career as a champion of the outdoor life, and for his book, 'Camp-Fires in the Canadian Rockies.'" In public appreciations it was our first prize; and we prize it accordingly, forever and aye.

Our amazing gold service medal from the New York Zoological Society, after thirty years' service, was bestowed for services to the Society and the Zoological Park, and it comes near to being a miracle—like unto my gold watch from the Officers and Employees of the Park, on the



#### A STONE TRIBUTE TO A LIVING MAN

On the Campus of the Iowa State College, Ames, Iowa.

Park's 25th anniversary. I was and still am surprised that either of the bestowers cared to offer me anything! Constantly, for 20 years, I looked forward in dread to the day when the Society would grow tired of my strident and insistent ways, and propose a divorce. The Park itself was such a difficult and exacting task, in the fierce quest for Success, that it seemed to me no director worth his salt could possibly last longer than 20 years without wearing out his welcome. . . . But here is the service medal—of artistic design, exquisite Tiffany workmanship, and devastating weight in the precious metal. "There never will be another like it!" declared President Madison Grant; and what more could anyone ask?

There are some other medals, that I would like to mention, but I do not feel that the liberty of the subject will permit me to go farther. Nothing, however, should operate to prevent the mention of certain other Compensations that I prize exceedingly, and wear with constant benefit.

The Shikar Club, of all the British Empire, with headquarters in London, is composed of the flower of British manhood having tastes for big game hunting, and its natural corollary—game protection. It begins with His Majesty King George, and it ends with the nobility and gentry. A very few foreigners have been given places in the list of 22 Honorary Members. In that list appear the names of four Americans—Madison

Grant, Kermit Roosevelt, C. D. Davis and the writer. They are associated with 16 of the most distinguished active defenders of game of the provinces of the British Empire, with whom it would be an honor to break bread. The four Americans in the list would not be human if they were not proud of their positions in the world's most distinguished club of big-game sportsmen *and game defenders*.

Following closely upon the trail of the Shikar Club (chronologically) comes the British Society for the Protection of the Fauna of the Empire. Like the slightly older Club, it is composed of the flower of British Chivalry in Devotion to the Thankless Task. Its list of members always reminds me of a book that I never saw—Burke's "Peerage." Its list of 395 "Ordinary" and "Life" members is a wonderful showing of quality and strength. It looks like a body in every way fit to grapple with the thorny and difficult task of defending the endangered faunas of the far-flung British Empire; and what praise can I give beyond that? It gives one a thrill to think of being associated with that body, and contributing to the staggering objects it has in view. The short name of this admirable organization is "The Fauna Society," and its home office is with the Zoological Society of London, in the Zoological Gardens, Regent's Park. C. W. Hobley, Esq., is the General Secretary. The list of 41 Honorary members contains the names of only three Americans, Dr. T. S. Palmer, Dr. C. Hart Merriam, and the writer. But I am sure that very soon the name of Madison Grant will be added to that list. As chairman of a special Committee of New York men to raise funds for this year's campaign by the Fauna Society, Mr. Grant was chiefly instrumental in raising \$9,500, in addition to the gift from the New York Zoological Society to Natal, of \$1,000 for emergency use in efforts to stop the orgy of game slaughter in progress last year on the west side of the Umfolozi Game Preserve.

I have reserved unto the end of this story the remarkable happening at my Alma Mater—the Iowa State College, at Ames, in which the writer is concerned.

That the people and institutions of my former home state have always had more or less faith in me, and have stubbornly maintained it "through good and evil report," has been to me a constant source of satisfaction and strength. I count particularly the State College, the State University, Morningside College, the Iowa School of Wild Life Protection, the State Conservation Association and the organized bird defenders of Iowa.

In 1923 the State College bestowed upon me—chiefly because of my book, "Minds and Manners of Wild Animals"—the very welcome honorary degree of Master of Philosophy (Ph.M.). This pleased me immensely; because I think that book is my most thoughtful contribution to wild-animal lore. And now the most startling story of all concerning my compensatives remains to be told.

In 1925 the Iowa State College and the Iowa State Conservation Association, jointly, placed on the College campus on a corner in front of the Library Building, a stone-and-bronze memorial to a *living man!*

And I was the beneficiary!

The proceeding was so astoundingly unprecedented in my annals of



life that ocular proof seems to be advisable; so a picture of the Result is shown herewith. As will appear, the glacial boulder monument was really bestowed in token of approval of my activities in defense of wild life, but incidentally its tablet also makes note of the fact that on that campus, as a sophomore student about to enter the Battle of Life, I thoroughly "found myself," and chose zoology, and *interesting work*, instead of the pursuit of "just wealth." The chief initiators and executors of this wonderful honor were Dr. L. H. Pammel, Professor of Botany, and Professor George B. MacDonald, Chairman of Forestry and Conservation.

In addition to the above, I gratefully appreciate honorary memberships, for work in various fields of zoology and conservation, in the following organizations:

- The National Acclimatization Society of France
- The Zoological Society of London
- The Royal Zoological Society of Antwerp
- The Royal Zoological Society of Amsterdam
- The Zoological Society of Dublin
- The Zoological Society of Philadelphia
- The Brooklyn Institute of Arts and Sciences
- The American Institute of Park Executives
- The Australian Ornithologist's Union
- The Royal Society for the Protection of Birds
- The American Museum of Natural History
- The North American Fish and Game Protective Association
- The Ontario Fish and Game Protection Association
- The Owego Rod and Gun Club and
- The Blair County (Penn.) Game Protection Association

And now in view of all the above, I must say that I have had many and valuable compensations for my 32 years of ups and downs in the protection of the birds and mammals of the world.

## THE CURTAIN

Our final message is finished. We have shown by history and results how remedial measures to save and increase wild life can be initiated and enacted; but we cannot show how to inject humanity and courage into the hearts of men.

We have shown how big money year after year can fail to get big results for the good of wild life when judgment is lacking in the foundation. We have shown how causes that are Right can flourish and make good on a Valley Forge basis of cold and hunger, while millions of good dollars are being broadcast for the use of causes both true and false. It is now a proven fact that the "conservation" outfits with the largest incomes are the ones that secure the fewest results of practical value. It is curious to see how often well-meaning capitalists fail when they try, in all good faith, to do something worth while for wild life without the benefit of experience.

Regarding the future of the wild life of North America, and the world at large, the author of this volume is a calamity-howler and a pessimist of the deepest dye. Let there be no mistake about that. If he had the power of a Mussolini, he would bring back enough of the game of the United States to make good hunting for millions of decent men and boys, and he would maintain it on a going basis. But it would not be "free hunting"! Not by a long shot. It would be despotically *controlled hunting*, of the kind that has been the chief means of maintaining good shooting on the private shooting grounds of England and Scotland for centuries, while we have been so rapidly extending our barren grounds.

Think it over. But, meanwhile, prepare for the Worst.



## APPENDIX

### A COMMERCIAL SLAUGHTER-PEN FOR DUCKS A ONE-MAN COMMERCIAL DUCK CLUB, \$10 PER "LIMIT"

*An Inside Story Showing How the American Plan Works in Winter.*

In this closing hour, before the last signature of this volume goes to press, a true and amazing story has come out of Memphis, Tennessee, with telegraphic leave to print. Never before have we seen a story of duck concentration, and of commercialized slaughter so illuminating as this one. Mr. Wilcox seems to have a cinch on the winter ducks of the Mississippi Valley. But the bag limit of 15 is strictly observed; and if 40,000 ducks are killed there per season, this means that the 1930 bag-limit reduction of 40 per cent. saves precisely 26,664 ducks this winter. The humane reader will not fail to note what Mr. Caldwell says about the stench over Lake Tindall that arises from the thousands of crippled ducks that die there and decay. The shocked feeling of Mr. Caldwell is very much to his credit, and anyhow, his story well deserves a permanent place in history. We first saw it in *The American Field*.—W. T. H.

### SLAUGHTER PEN FOR DUCKS

BY HERBERT CALDWELL

Sports Editor of the *Memphis Commercial Appeal*

Like herding cattle into a chute, with the axe man awaiting them at the other end—that's how wild ducks are being shot or slaughtered near Stuttgart, Ark.

Despite the verified shortage of the flight of wild ducks south from northern breeding grounds, this condition actually exists on a privately controlled or commercialized shooting grounds on the outskirts of the rice belt, almost within a stone's throw of White River.

I was a member of a party of eight who killed 127 mallards within less than twenty minutes' actual shooting time on these grounds last Tuesday morning. At two minutes after 8 o'clock in the morning our day's shoot was over.

The seven ducks above the 120 limit for eight shooters—or fifteen ducks per man—is accounted for by the fact that the limit had been killed before it was realized. With eight men shooting as fast as guns could be loaded and fired, and with more than one man often shooting at the same duck, it was practically impossible for anyone to keep an accurate account of the ducks killed. Only 120 ducks, or the legal limit, however, were permitted to be carried out by the operator of the place. As soon as it was figured that 120 ducks had been killed the shooting ended.

These grounds are owned by George Wilcox, who personally supervises the shooting of each party, acting as guide, retriever of the ducks killed, and the herder of the ducks into the slaughter pen.

A fee of \$10 is charged to kill fifteen ducks, or a day's limit. If a person couldn't kill his limit in thirty minutes at least he is not responsible enough to be entrusted with a loaded shotgun. Thus by the simple process of calculation it costs 67 cents to kill each duck.

I had that experience—a wonderful sight, if not experience. I wouldn't give 10 cents to do it over. In fact, I wouldn't care to do it over. There is no element of sport attached to it. It is hardly a game of chance as far as the ducks are concerned. The ducks have no chance when literally driven into the muzzles of shot-guns in the hands of persons who know how to shoot. It might be the source of delight or pleasure for the "game hog or meat hound," but one experience of the kind should be sufficient, or more than sufficient, for a man with a drop of red sporting blood in his veins.

There is no violation of the law in legally shooting fifteen ducks a day, whether they are shot in fifteen minutes or twelve hours, but it is nothing more or less than slaughter. It would be more sport and more sportsmanlike if a person were sold the privilege to shoot on these grounds as he chose; and any real sportsman would choose to decoy the ducks in small bunches and take his time killing the limit. But Wilcox does not permit this. He directs the shooting, and directs it so that each member of a party has his limit of ducks, is off the grounds as soon as possible, and he is ready to herd a new drove to slaughter by another party. Just how many times a day this is done is not known, but it is safe to say that it is twice a daily occurrence during the season.

#### THE SHOOTING BEGINS

These shooting grounds are almost inaccessible in a small automobile. Part of the journey is through swamps and bogs and a roadless woods. It, however, was only a few yards tramp from where the autos were left. It is doubtful if under more adverse conditions an auto could have been driven that close.

We arrived about 7 a. m. We were stationed about fifty yards or so from where we were told we would start shooting. Wilcox informed us that he was going up the lake—or slough—and would drive the ducks to us. We were cautioned not to shoot at a duck until we heard him fire his gun. Ducks were sailing all over us, but we waited for the signal. Another guide, who remained with us, told us that when we heard Wilcox fire his gun to run up about fifty yards into an opening at the end of the slough that the ducks would start pouring in. There was a sound that might be likened to thunder and the ducks began pouring in.

We ran up and started shooting.

The shooting lasted probably eight or nine minutes. The guides then picked up the ducks and counted them—eighty some odd. We lacked around forty of having the limit.

There was a lull of probably thirty minutes. We were then moved up the slough about two hundred yards to another stand. Wilcox said he would go up and herd down another drove. We had the same instructions of not to shoot until he had shot. In a few minutes there was another roar and in poured the ducks again. We shot about the same length of time. When this bunch of ducks was picked up we had a total of 127. Wilcox counted out 120 ducks—or the limit for each man—and said he could take care of the extra seven. At two minutes past 8 our day's shoot was over.

It was like a dream to me, and probably to most of the other members of the party.

It was a novel experience, but I can't say that I looked upon it as sport and I know some of the other members of the party didn't regard it as sport. When there had been more time to reflect, the thing was sort of sickening, if that rather vulgar word might be used.

#### WILCOX AS CONSERVATIONIST

There is another angle, however, to Wilcox and his duck slaughtering business and one that deserves deep thought and consideration by the Department of Agriculture and the Bureau of Biological Survey in its national wild-fowl conservation project. Wilcox in a way is a conservationist, whether or not at heart. For every one duck killed in a season on his place Wilcox offers shelter and protection for thousands of other ducks. It is doubtful if it is Wilcox's love for his ducks, for he must have these ducks on his place to sell for slaughter at \$10 per fifteen ducks, but nevertheless he has his ducks and protects them.

The grounds shot on were located between two lakes or resting places. Wilcox does not allow shooting on these lakes and claims he has not permitted a gun to be fired on either of these lakes in four years. The number of ducks on these lakes and their apparent quiet and solitude bears out that statement. *The shooting grounds are baited. Wilcox informed us that he already had stocked the place with over thirty tons of feed.* The shooting grounds are fed with ducks from the resting lakes, to which the ducks return when driven or shot out of the slough.

After the day's shoot Wilcox took Henry P. Davis, a representative of the Du Pont Powder Company and game bag editor of the Commercial Appeal, and myself to one of these resting lakes. Wilcox did not say, but it presumably is about two miles from where we shot. That is merely my estimation after some zigzag driving to the shooting grounds, then back to the starting place and then to the resting lake. Before we arrived we were informed we would see acres of ducks. The picture was painted so big that it was not conceivable. The sight we saw was bigger than painted.

On a lake four or five feet deep in most places and estimated to have one hundred acres of water we conservatively estimated that fifty or more acres were covered with ducks. It seemingly was impossible for another duck to alight in some spots. As far as the eye could carry there was a veritable bed of ducks—just a seething mass. Beyond clear vision it looked as if a floor of ducks had been laid over the lake.

#### DUCKS KEPT IN PLACE

Before we reached the lake we were asked to crawl on our all-fours to a high bank looking down on the lake, so that we would not disturb the ducks. Wilcox took Davis to a better view, so that some kodak pictures could be taken. It was too big a sight for a kodak picture to tell the true story.

Wilcox informed us that about a week previous two bankers from Chicago visited the lake. That day there were, maybe, a few more ducks than we saw. The bankers based their estimate on there being one hundred acres of water in the lake, fifty of which were covered with ducks, and figured the displacement of a duck on the water. So as not to exaggerate, the first estimate on the same basis was cut in half, and it figured there were four million ducks in view.

Wilcox informed us that he had been working on this problem for nearly ten years. He says he has three men who ride these grounds night and day to prevent poaching or illegal shooting. He is a deputy sheriff and yearly makes many arrests. When we arrived at the shooting grounds that morning there was a party of four already there. They had come without making an engagement.

"What are you folks doing here?" inquired Wilcox.

"We are looking for the man who owns the place," returned a member of the party in a car bearing a Little Rock license.

"I own this place," said Wilcox. "And there's the way out and get out right now." They got out without further debating.

"I wonder how they ever found their way in here?" I asked Wilcox.

"I don't know," he said, "but they won't come back."

While we sat awed watching the ducks on the rest lake we were informed that Wilcox had another lake with just as many ducks on it right at that time. The lake, however, is situated in the marshes and does not afford a clear view. There is no feed for the ducks in the lake we saw and very little or none at all in the other lake, we were told. They are merely loafing or resting places for the ducks and out of harm's reach of the hunter's gun.

#### NINETY-NINE PER CENT. OF DUCKS SAVED

There are approximately ninety shooting days in the season. Presuming that five hundred ducks a day are killed on Wilcox's place—and that probably is away above the average—45,000 ducks are killed there in a season. Wilcox told us that his rest lakes were covered with ducks just as we saw practically from the beginning of the open season until it closed. Presuming there were four million ducks on the

lakes, then Wilcox was protecting or offering a resting place or sanctuary for about ninety-nine per cent. of the ducks on his place. I believe the estimate of the Chicago bankers was a fair one.

I have seen ducks—real live ducks.

Wilcox's duck business, in my opinion, is bigger than the man himself realizes. I doubt very seriously if Wilcox realizes the vastness of the thing, although he must have had some foresight in working on the thing for ten years.

While there no doubt are some evils in the manner in which ducks are being literally slaughtered that should be corrected or considered by the government, yet the government should weigh both sides of Wilcox's duck business. It is worth while for the government to look into this thing. Wilcox operates his business without the assistance of Federal or state game wardens—in fact, it is claimed that he has informed them he can attend to his own business—prefers to, and he apparently does.

While the evil of literally slaughtering ducks should be remedied, just how it can be done in this particular case would have to be delicately handled. A Federal law necessarily would have to apply to all duck shooting. Shooting on a certain number of days a week might be considered. Whether it would be beneficial to shoot on three consecutive days, say Monday, Tuesday and Wednesday, or Monday, Thursday and Saturday, might be considered. Although it would work a hardship on hunters, it might be wise to shoot on three consecutive days and allow the ducks plenty of time to concentrate again.

Wilcox's duck business might be looked upon more favorably should he regulate the hunting himself and permit shooting only on certain days. Also Wilcox would be regarded more in the light of a conservationist.

#### A NATIONAL SANCTUARY

Places like Wilcox's, under some sort of government supervision, would greatly help the conservation project. It is an ideal spot for a sanctuary and, in fact, is a sanctuary, although it is doubtful if Wilcox regards it as such or if a sanctuary is his purpose. Wilcox's duck business at least is worth serious consideration and careful study by the Biological Survey in its conservation campaign.

There is another lake, not far from Stuttgart, called Tindall's Lake, and commonly referred to as "the slaughter pen." We did not shoot on this lake or visit it, but were reliably informed that the shooting is not as well regulated as on Wilcox's place; and, in fact, there are no regulations. Tindall charges \$10 a day to shoot on his lake and we were informed that he pays no attention as to whether the bag limit is violated. It is left up to the shooter, who takes the chance of being caught if he violates the law.

We also were informed that the stench from dead ducks—over the limits, that were not picked up—was so bad on some places of Tindall's Lake that it was obnoxious. It was estimated at the end of the shooting season last year that there were over 40,000 dead ducks on Tindall's Lake.

The duck business—and it is purely a business in the rice belt—indeed needs the attention of the government in its conservation drive or establishment of sanctuaries.

In the case of Wilcox's duck business, however, conclusions as to whether Wilcox is a conservationist—whether or not at heart—or whether he operates a slaughter house should not be arrived at too quickly. The slaughter pen might be closed, or the evils corrected, but it cannot be denied that Wilcox is offering shelter and protection for thousands and thousands of ducks.

I have seen ducks—real live ducks.

I have shot ducks, but I do not care to shoot them again as we did on Wilcox's place.

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In this lively volume, written in "outdoor language," the reader learns for the first time precisely what the persecuted wild animals and birds think of man and his treatment of them. The grizzly bear, mountain goat, wolf, elephant, leopard, pintail duck, whooping crane, Florida crocodile and giant tortoise give some hot opinions, and many times the interviewer is made to blush for "civilized" man.

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"More interesting than most interviews with humans, and far better written. Children and parents will like this. Hornaday does no nature faking, and his stories are written with sympathy but no sentimentality, and with humorous detachment as well as scientific observation. The pictures are fine."—*The Outlook*.

"Mr. W. T. Hornaday is a close student of natural history, who has the gift of writing amusingly on this subject. The content of his diverting volume purports to represent the remarks made to the reporter who called on some forty distinguished inhabitants of the Zoological Gardens of New York or their relatives in the wilder places of the earth, and though there are many laughable absurdities in a volume so conceived, there is much sound knowledge subtly disseminated in these studies of lions, ostriches, elephants, mountain goats, chimpanzees and other denizens of the wild."—*The Edinburgh Scotsman*.

"Dr. Hornaday doesn't spend all his time in praise of his wild animal friends, however. He hits pretty heavily at the gray wolf and the leopard, and his conversation with the skunk is not altogether flattering to that small animal. He presents the seamy side of Alice Elephant's disposition, as well as the element of tenderness displayed in her conduct toward her adopted baby. And he admits that even the grizzly bear can be perverse."—*The Wichita Times*.

"Over forty animal interviews has he to put into this book, and if there was ever an entertaining, readable, jolly, and at the same time instructive book about the ways of wild animals, this is it."—*New York Weekly People*.

"No one has a better right than Dr. Hornaday, 30 years director of the New York Zoological Park, to speak for the wild animals, and these fascinating interviews with lions and elephants, monkeys and bears and crocodiles, ostriches and penguins, giraffes and storks, will inevitably amuse and interest. But Dr. Hornaday has often a further intention at the back of his mind, as may be clearly seen in 'A Wild Duck's Point of View,' 'A Quail Visits Us,' 'The Bird Nearest to God,' and 'Wild Goose Wild and Tame,' to name only some of those that give the points of view of birds."—*Bird Notes and News. Royal Society for the Protection of Birds*.

"Libraries have been written about wild animals, but it has remained for William T. Hornaday in 'Wild Animal Interviews' to go to the wild animals themselves and learn their side. Surely the most logical thing in the world, but apparently the idea had never occurred before to anyone else until Mr. Hornaday up and did it. In good reportorial fashion he interviewed personally some 40 members of the wild, discussed life with them in their own language and obtained statements and opinions from each. The results of the interviews, as translated into English by the author, are amazing and a joy to read."—*The Massachusetts Springfield Union*.

"A jolly book, in which much accurate information concerning the natural history of wild animals is scattered amongst a quantity of imaginary argumentation, discussion and badinage between all kinds of animals and the interviewer. We commend to the attention of the cautious laboratory boys Hornaday's forthright remarks about animal psychology. They are scientifically indefensible, but not therefore necessarily or wholly false."—*The Quarterly Review of Biology*.

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